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**Subject:** EPA Mid-Atlantic Region Headlines - Tuesday, August 6, 2019

# EPA Mid-Atlantic Region Headlines

Tuesday, August 6, 2019

\*\*\* DAILY HOT LIST \*\*\*

## Neighbors, Officials Want Investigation Into B.Braun's Emissions As A Cancer Risk In Lehigh County

**ALLENTOWN MORNING CALL** Jon Irons lives in a Bethlehem neighborhood, near the border of Hanover Township, that has a cancer risk nearly four times greater than the state average, largely because of a chemical released into the air by medical device-maker B. Braun. "It's very unsettling," he said. Ethylene oxide, a colorless gas used to sterilize medical equipment, has been linked to breast cancer, lymphomas, leukemia and stomach cancer. And thousands of pounds of the chemical are released into the air each year by B. Braun's plant in Hanover Township, Lehigh County. Like Irons, many people in the area were unaware of the pollution until The Morning Call published data last month from a government report. The U.S. Environmental Protection Agency noted the elevated risk in its data on toxic air pollution last year but did not publicize the findings. Since The Morning Call story, some have called on government to see that the emissions are significantly reduced. But there has been no public outcry as was seen in Illinois, when community outrage prompted the state to effectively suspend operations at Sterigenics, a medical device company in Willowbrook, for months for ethylene oxide emissions that were about 50% less than B. Braun in 2016, the latest year with available data from the EPA. Irons, a community activist, said he's frustrated with the response from political leaders. "The action needs to be more urgent," he said. "If there's this elevated risk and we're seeing cancer risk increase and we know ethylene oxide is a known carcinogen, we need to make sure we're being as safe as possible. I don't see that happening." Elected officials — including Hanover Township Council members, U.S. Rep. Susan Wild, state Sen. Lisa Boscola, and state Rep. Jeanne McNeill — said they've heard from a handful of residents who called or emailed their concerns about the pollution...

## DNREC fines Bloom Energy \$40K for air quality violations

**WILMINGTON NEWS JOURNAL** Delaware environmental regulators on Friday fined Bloom Energy \$40,000 for turning on a bank of natural gas-powered fuel cells, set to provide electricity to Delmarva Power customers, before the state gave it permission. As part of the fine, the struggling Silicon Valley company also is paying the state \$5,454 in what it calls recovery costs. It is the first significant environmental sanction imposed by Delaware on Bloom Energy since the state in 2011 showered the Silicon Valley company with incentives in a deal to bring a manufacturing facility to Newark. The controversial package of Delaware subsidies has since sent hundreds of millions of dollars to the California fuel cell producer. Some flowed from taxpayers, the rest from a Delmarva Power surcharge stamped onto the bills of customers to pay for expensive electricity produced at Bloom Energy's Delaware fuel cell sites. Its fuel cells use an electrochemical reaction to convert natural gas into electricity. While they do not ignite the fuel, they do produce carbon emissions. Last year, Bloom filed an application for a permit to swap out its old fuel cells at its site in Red

Lion and Newark. At the time, Bloom had not publicly stated the cost of the project, though after its announcement a subsequent report said it could be between \$100 million and \$150 million. The Delaware Department of Natural Resources and Environmental Control awarded the permit in January, following a raucous public meeting. Within the permit language, DNREC said Bloom would not be allowed to turn on the new generators until it received permission from the state following their installation. "The permit did not authorize operation of the units, except for the purpose of conducting the required DNREC inspection," the agency said in its enforcement order published on Friday...

## Neutralization of hydrofluoric acid to begin at PES refinery

**STATE IMPACT PENNSYLVANIA** Workers at the Philadelphia Energy Solutions refinery in South Philadelphia are planning to start neutralizing tens of thousands of barrels of a highly toxic chemical beginning Aug. 5. The refinery is shutting down after an explosion and fire destroyed part of the plant. The company has entered Chapter 11 bankruptcy. The chemical, hydrofluoric acid, is one of the most dangerous industrial substances in use. Refineries use it as a catalyst to create high-octane fuel and it was an integral part of the unit that exploded at PES back in June. The company's own risk management plan, filed with the Environmental Protection Agency as a requirement under the Clean Air Act, describes a catastrophic worst-case scenario involving hydrofluoric acid. If 143,262 pounds of hydrogen fluoride were released over 10 minutes, a toxic cloud could travel for more than seven miles and affect more than a million people, including in schools, homes, hospitals, prisons, playgrounds, parks, and a wildlife sanctuary. The chemical penetrates the skin and reacts with the calcium in bones. Swallowing just a small amount, or getting small splashes on the skin, can be fatal, according to the Centers for Disease Control and Prevention. In its gaseous state, the CDC says, low levels of hydrogen fluoride can irritate the eyes, nose and respiratory tract. Breathing it at high levels "can cause death from an irregular heartbeat or fluid buildup in the lungs." PES spokeswoman said the company does not comment on operations. ...

## PFAS in Dover wells up to 2,400 times above federal health advisory

**DELAWARE PUBLIC MEDIA** State and U.S. Air Force officials announced last month that four drinking water wells near Dover Air Force Base were found to be contaminated with per- and polyfluoroalkyl substances, or PFAS. Officials now confirm the contaminated private wells are located northwest of the base. They say concentrations of combined PFOA and PFOS in the wells tested between 1,800 and 170,000 parts per trillion, well above the EPA's unenforceable health advisory limit for the two PFAS chemicals of 70 parts per trillion. The five businesses, two residences and one office building the contaminated wells supply are being provided bottled water by the Air Force Base. Officials say the four contaminated wells were among roughly 30 tested this June in the first phase of an "expanded site inspection" near two historic PFOS and PFOA release areas on the Dover Air Force Base. Air Force officials plan to release well testing results to additional area residents once the results are validated. PFOS and PFOA were present in firefighting foam previously used at the Dover Air Force Base. They have been linked to an increased risk of cancer and other health problems. Last week Sen. Tom Carper, Sen. Chris Coons and Congresswoman Lisa Blunt-Rochester sent a letter to the U.S. Secretary of Defense requesting more information about the PFAS contamination near the Dover Air Force Base — including groundwater testing results and a map of contaminated wells. Carper says officials should use the "Golden Rule" in dealing with the affected residents and businesses. "If I were in their shoes I'd want to have immediate access to safe drinking water. I'd want to be assured that the situation is not getting any worse," he said. "I'd want to make sure that someone's planning on how to clean up this contamination. And, if possible, to maybe have access to a municipal source of water." The letter also asks for a remediation plan and a feasibility assessment for putting the affected properties on municipal water. "If the contamination comes directly from a military base, my mind is that the military — the Department of Defense — has some responsibility to restore some security, confidence, peace of mind to the folks whose lives have been disrupted," said Carper. As of Friday, Carper said he had not received a response from the U.S. Department of Defense. Dover Air Force Base officials continue to examine the need to test other areas for potential contamination and plan to contact residents before any sampling occurs...

## Waste containing PFAS chemicals poses conundrums

**DOYLESTOWN INTELLIGENCER** With few state or federal regulations existing for PFAS chemicals, the military and impacted towns face the tough question: Where to dispose of filters and waste? When carbon filters filled

with firefighting foam chemicals from Bucks and Montgomery counties are burned at an incinerator in Delaware County, the temperatures approach one-fifth of those found on the surface of the sun. But is that hot enough? Are the chemicals destroyed, or do they go elsewhere? The lack of sure-fire answers to those questions strikes at the heart of another set of issues faced by communities and regulators already grappling with per- and polyfluoroalkyl substances (PFAS), toxic chemicals that are being found in increasing amounts in water supplies and waterways throughout the country. Communities along the county line have been struggling with PFAS contamination for years, after the chemicals were used at firefighting foams at a trio of current and former military bases in the area. On July 28, an investigative report from this news organization detailed potential “hidden” exposure routes for the chemicals as they continue to leak off the bases, including through fish consumption, agriculture, and the disposal of PFAS-saturated materials such as soil and carbon filters. The Navy has yet to respond to questions about the report. Several years ago, the impacted water authorities in Horsham, Warminster and Warrington townships implemented zero-tolerance plans to completely remove the chemicals from their drinking water supplies. To varying degrees, that involved purchasing water from neighboring water authorities or installing large carbon treatment systems to filter out the chemicals. But what to do with the used filters? “One of the biggest problems facing communities is how to responsibly dispose of these contaminated materials in a manner that does not contribute to the dispersal of PFAS further into the environment,” said Tracy Carluccio, deputy director of the nonprofit Delaware Riverkeeper Network...

## **EPA Stress-Tests Regional Office Plan**

**BLOOMBERG ENVIRONMENT**The EPA is running tests on the reorganization of its regional offices to see if the plan is making the 14,000-person agency more effective and consistent, an agency official said. The plan, which kicked off in April, changes the structure of the Environmental Protection Agency’s 10 regional offices so that they each resemble the design of the agency’s headquarters. Various EPA officials, including Administrator Andrew Wheeler, have said the plan will improve coordination between headquarters and the field offices. To test whether the reorganization has had that effect, EPA is now conducting workflow analyses, trying to see if there are matches between the work it needs to do, the staff it has on hand to do it, and the money it has available to fund it throughout the regions, Steven Cook, deputy assistant administrator of EPA’s Office of Land and Emergency Management, said Aug. 2. Finding those matches was “incredibly difficult” before the reorganization, said Cook, speaking at the Texas Environmental Superconference in Austin. “If we do this right, we will be able to have consistent application across all the regions.” Under the old regime, EPA’s connections to its regional offices resembled “a maze of pipes,” Cook said. For example, pots of appropriated money sometimes hid in places for reasons that “nobody could explain,” he said. Critics have argued that the reorganization will undermine EPA regions’ enforcement by exposing them to political interference. Under the new plan, regional enforcement directors will have to report to a politically appointed regional administrator, who then reports to headquarters, the American Federation of Government Employees said in an April 29 [letter](#) to Wheeler. But others say the idea of radically reshaping EPA’s regions is one that has lingered for decades and isn’t necessarily a partisan notion, said Stan Meiburg, who served as EPA’s acting deputy administrator during part of the Obama administration. “I don’t think there’s a perfect organizational solution,” Meiburg told Bloomberg Environment. “Almost any organizational structure can work if you have people’s relationships done right...”

## **Scientists Search for Best Way to Restore Oysters in Chesapeake Bay**

**WALSTREET JOURNAL** (Saturday) Scientists are racing to stem a rapid decline in the oyster population in Chesapeake Bay. The number of oysters, a valuable part of the shellfish industry in the region, has fluctuated and been unreliable since the 1980s. The amount of market-size mollusks harvested in the Maryland stretch of the bay fell from about 380,000 bushels in the 2015-16 season to 180,000 bushels in the 2017-18 season, according to state data. Water pollution, parasites and overfishing are among the reasons behind the decline, scientists say. Also, heavy rains can increase the flow of fresh water into bays, lowering water salinity and making it uninhabitable for oysters. “The current population baywide of oysters is estimated to only be a couple percent of what were here in colonial times,” said Will Baker, president of the advocacy group Chesapeake Bay Foundation, citing recent studies. The Chesapeake Bay Foundation is one of several local, state and national organizations working to restore oyster populations in the area. One of its goals is to replenish oysters to the bay by placing hatchery-produced seed oysters in sanctuary reefs. About 32

million pounds of U.S. oysters worth more than \$236.4 million were harvested in 2017, a decrease of nearly 1.5 million pounds from the previous year, according to the National Oceanic and Atmospheric Administration. About 15% of the 2017 haul was from the Middle Atlantic region, which includes the Chesapeake Bay...

## **Fracking linked to anxiety, depression in pregnant women**

**WESA - PITTSBURGH'S NPR STATION** (Friday) A new study finds that pregnant women living near hydraulic fracking activity in Pennsylvania are more likely to develop depression and anxiety. "These are vulnerable women who are growing another human being inside of them," said Joan A. Casey, the study's lead author and an environmental health scientist at the Columbia University Mailman School of Public Health. Casey and her colleagues conducted the study with 7,715 research volunteers; all were expectant mothers within the Geisinger Health System, which serves much of central Pennsylvania. "Basically ... if we took 100 women and we expose them to the higher levels of fracking activity during pregnancy, four of them would develop anxiety or depression that otherwise would not have developed it," she said. The Independent Petroleum Association of America said in an e-mail that it takes issue with the fact the study didn't look at environmental data. "While these epidemiological studies claim to find possible connections based on limited data sets and assumptions, the reality here in Pennsylvania is that study after study of actual air and water sampling near these sites continue to show that shale development is being done in a way that's protective of public health," wrote spokesperson Nicole Jacobs. Casey pointed out that increased traffic connected to fracking can degrade local air quality, while increasing sound pollution and other commotion in a community. Part of the reason these mothers experienced adverse mental health issues, she said, could be due to concerns around environmental impacts, paired with a lack of control surrounding the changes. "Mothers have reported feeling like they can't keep their children safe," she said. "We can't say we're 100 percent sure that these women are developing anxiety or depression during pregnancy as a result of living near unconventional natural gas development in the Marcellus shale, but I don't have another explanation for what we're observing here." Casey said her team controlled for a variety of factors including age, race, whether a volunteer smoked and socioeconomic status. Even after taking these factors into account, women that were living closer to a greater number of fracking wells appeared to be at an elevated risk for developing anxiety and depression...

## **Trump calls off planned trip to Shell's cracker plant in Beaver County**

**PITTSBURGH POST-GAZETTE** The U.S. Secret Service sent a note to Beaver County Emergency Services early Monday morning calling off the planned presidential visit slated for Thursday, citing "recent events." Emergency Services Director Eric Brewer said there was no mention of postponing or rescheduling the event, which was supposed to include a tour of Royal Dutch Shell's petrochemical complex in Potter Township and a speech about the economy and manufacturing. Mr. Brewer said the notice was brief and likely referred to a string of mass shootings that rocked the U.S. over the weekend. President Donald Trump addressed the violence in remarks Monday morning. Shell is building an ethane cracker and derivative units that will transform natural gas liquids into plastic pellets. The multi-billion dollar project will gobble up ethane produced from the Marcellus and Utica shales in Appalachia.

## **Mulvaney: Relocating Offices is a 'Wonderful Way' to Shed Federal Employees**

**GOVERNMENT EXECUTIVE** Mick Mulvaney demonstrated remarkable candor over the weekend when addressing a push by the Trump administration to move federal employees outside Washington, D.C. During a Republican party event in his home state of South Carolina on Friday, the acting White House chief of staff largely dispensed with the administration's favored talking points that moving some Agriculture Department offices to Kansas City would get federal employees closer to the constituents they serve. Instead, Mulvaney said the relocations would help the administration attain another goal: draining the swamp, specifically by shedding federal employees. "I don't know if you saw the news the other day, but the USDA moved two offices out of Washington, D.C., I think to Kansas City, Missouri," Mulvaney boasted, while encouraging applause. "Guess what happened. Guess what happened. More than half the people quit." (USDA has not yet decided if the offices will be in Kansas or Missouri.) Mulvaney, who retains his title as Office of Management and Budget director and formerly headed the Consumer Financial Protection Bureau, went on to explain that the outcome of employees leaving in large numbers was a great victory for the administration.

“Now, it’s nearly impossible to fire a federal worker,” he said. “I know that because a lot of them work for me. And I’ve tried. And you can’t do it. But simply saying to the people, you know what, we’re going to take you outside the bubble, outside the Beltway, outside this liberal haven and move you out into the real part of the country, and they quit. What a wonderful way to streamline government and do what we haven’t been able to do for a long time.”...

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## PENNSYLVANIA

### PHILADELPHIA INQUIRER

West Chester’s plastic-bag ban was ‘the right thing to do,’ officials say, even if it defies state law (Saturday) The West Chester Borough Council voted last month to ban single-use plastics, enacting an ordinance that directly defied a state law passed just two weeks before. But in a town this progressive, one that recently added a sustainability director to its payroll, officials said it wasn’t a decision made out of spite. “There was a tremendous outpouring from our community and beyond who wanted the borough to go ahead anyway and pass it,” said Mayor Dianne Herrin, an early proponent of the ban, first brought to the council in 2018 by a group of forward-thinking students from West Chester Friends School. “Environmental concerns are top priority for the vast majority of our constituents here,” she said. “We were simply doing our job as local officials.” The Chester County borough’s seven-member council had been working on the legislation, which prohibits plastic shopping bags and straws in local businesses, for the better part of a year. And throughout, there was unanimous support on the council. That is, until June 28, when Gov. Tom Wolf signed the state budget. Buried inside Pennsylvania’s latest fiscal plan was an eleventh-hour amendment from Senate Republicans that prohibits municipalities from enacting bans on single-use plastics for a year while state officials study their potential economic impact. West Chester went forward anyway. And, as the council took up the issue before a standing-room-only crowd on July 17, the measure eked through by one vote....

Traveling from Philly to SFO? Pack an empty water bottle (Aug. 2) Attention, travelers going to or through San Francisco: Bring your own water bottles. The city’s airport is banning the sale of plastic water bottles as of Aug. 20 in the name of sustainability, urging thirsty fliers to bring reusable water bottles to fill at water stations around the airport. If you don’t have a bottle in your backpack when you arrive at San Francisco International Airport, you’ll have a few options: search out water being sold in aluminum, glass, or compostable packaging; buy a flavored or sugary beverage (still available in plastic); or purchase a reusable bottle to fill. The new rule is part of the airport’s zero-waste plan “to reduce the airport’s impact on the environment,” according to its website. In 2014, San Francisco began phasing out the sale and distribution of plastic water bottles on city-owned properties. A spokesperson for the airport told the San Francisco Chronicle that SFO is the first airport to institute such a plastic bottle ban. There is no chance the idea will be replicated at Philadelphia International Airport — at least not for a year. In June, Gov. Wolf signed a measure — slipped in as an amendment to part of the state’s \$34 billion budget deal — prohibiting any municipality from banning plastic bags, bottles, or other single-use receptacles for one year to give the state more time to study the issue. But PHL “is actively working to reduce its plastic bottle offerings while exploring methods to increase the use of plastic-free reusable bottles” and has implemented a “robust” recycling program, spokesperson Florence Brown said Friday...

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Editorial: State grant program promotes urban farms

Too much rain is messing with pipeline operators’ infrastructure plans

There have been plenty of high-profile landslides dislodging and destroying oil and gas pipelines over the past few years, just as rains have wreaked havoc outside the oilfield — collapsing Route 30 in East Pittsburgh last year, opening up a giant sinkhole at a shopping plaza in Greensburg last month. The oil and gas industry is both a victim and a perpetrator of this dislocated earth...

All that rain drives demand for seeding, water barriers

## STATE IMPACT PENNSYLVANIA (NPR)

In Pennsylvania, some of VW settlement funds replace old diesel vehicles with new diesel vehicles Gov. Tom Wolf announced this week that Pennsylvania will spend \$8.5 million on new school buses, public buses, trash trucks, and electric-vehicle charging stations in an effort to reduce emissions. The money comes from a settlement related to the Volkswagen emissions scandal. In 2017, Volkswagen pleaded guilty to cheating on its diesel vehicle emissions tests. As a result of the deception, about half a million Volkswagen vehicles on the road in the United States were polluting the air at much higher levels than what was allowed under the Clean Air Act. The settlement awarded money to every state to fund emissions-reducing transportation projects. The money was awarded based on the number of noncompliant vehicles registered in each state. Pennsylvania got \$118 million. The Department of Environmental Protection is responsible for distributing the funds. The agency created the Driving PA Forward initiative, which disburses the money across seven different types of programs. In this most recent round of awards, 34 projects were granted funding. The projects include money for 60 new electric-vehicle charging stations. The rest of the projects fund replacements for old diesel buses and trucks. One-third of these replacements simply swap out old diesel vehicles with new ones. Several replace diesel vehicles with those fueled by compressed natural gas or propane. Only one of the projects funds an electric vehicle. Critics say too much money is going to fund new diesel vehicles. Logan Welde, staff attorney and head of legislative affairs for the Clean Air Council, was disappointed that there weren't more electric vehicle projects funded. He was especially concerned about money that went to converting old diesel school buses to new diesel school buses. "That really doesn't help the young kids who are going to be on these buses, sometimes for hours every day," said Welde. "These school buses that they're buying now are going to be in service for probably 15 to 30 years."...

Neutralization of hydrofluoric acid to begin at PES refinery Workers at the Philadelphia Energy Solutions refinery in South Philadelphia are planning to start neutralizing tens of thousands of barrels of a highly toxic chemical beginning Aug. 5. The refinery is shutting down after an explosion and fire destroyed part of the plant. The company has entered Chapter 11 bankruptcy. The chemical, hydrofluoric acid, is one of the most dangerous industrial substances in use. Refineries use it as a catalyst to create high-octane fuel and it was an integral part of the unit that exploded at PES back in June. The company's own risk management plan, filed with the Environmental Protection Agency as a requirement under the Clean Air Act, describes a catastrophic worst-case scenario involving hydrofluoric acid. If 143,262 pounds of hydrogen fluoride were released over 10 minutes, a toxic cloud could travel for more than seven miles and affect more than a million people, including in schools, homes, hospitals, prisons, playgrounds, parks, and a wildlife sanctuary. The chemical penetrates the skin and reacts with the calcium in bones. Swallowing just a small amount, or getting small splashes on the skin, can be fatal, according to the Centers for Disease Control and Prevention. In its gaseous state, the CDC says, low levels of hydrogen fluoride can irritate the eyes, nose and respiratory tract. Breathing it at high levels "can cause death from an irregular heartbeat or fluid buildup in the lungs." ...

Into the bog: Scientists are trying to learn more about unique peatland ecosystems When I meet up with a group of scientists in the parking lot of Laurel Summit State Park, in southwestern Pennsylvania, there are clues about where we're headed. "I always go with a hiking pole, which is especially good for wetlands, and testing out how deep the water is where you might sink in," advises David Yeany, an ornithologist with the Western Pennsylvania Conservancy. His colleague, Mary Ann Furedi pulls equipment from the back of her vehicle, and suits up. "Everyone else is going with knee boots. I didn't bring mine, so I'm going to go with chest waders," she says. Furedi is an ecologist with the conservancy, and the monitoring and assessment manager for an effort to study 30 peatland sites in Pennsylvania. Peat is partially decomposed plant, and sometimes, animal material. Pennsylvania is home to a number of peatlands, which are mostly in the northeast and northwestern part of the state. But it's just a short walk along a gravel trail here to see one. These unique ecosystems are vulnerable to development and climate change, and these conservationists are trying to learn

more about them...

## PENNSYLVANIA CAPITAL STAR

Opinion: On its silver anniversary, Pa's disastrous underground coal mining law has left a tarnished legacy This Aug. 21 marks the the 25<sup>th</sup> anniversary of Pennsylvania's disastrous Act 54 of 1994, which removed basic environmental protections from the Commonwealth's underground coal mining law. It's a tarnished silver anniversary. Since Act 54 went into effect, the state Department of Environmental Protection's regulation of underground longwall coal mining has been a catastrophic failure. For nearly three decades before 1994, a Great Society-vintage law known as the "Bituminous Mine Subsidence and Land Conservation Act of 1966" protected our surface waters, aquifers, springs, historic farmlands, and people's homes from subsidence damage caused by underground coal mining. Those property rights and environmental protections were removed by the coal industry's undermining in Harrisburg of Pennsylvania's laws that protected the Commonwealth's waters and people's homes, farms, and native water supplies. With the passage of Act 54 in 1994, widespread environmental and property damage from underground coal mining subsidence became permissible, with a weak "If you break it—and if we catch you—you have to at least try and fix it" scheme inked into law...

## WESA-PITTSBURGH'S NPR STATION

Fracking linked to anxiety, depression in pregnant women (Friday) A new study finds that pregnant women living near hydraulic fracking activity in Pennsylvania are more likely to develop depression and anxiety. "These are vulnerable women who are growing another human being inside of them," said Joan A. Casey, the study's lead author and an environmental health scientist at the Columbia University Mailman School of Public Health. Casey and her colleagues conducted the study with 7,715 research volunteers; all were expectant mothers within the Geisinger Health System, which serves much of central Pennsylvania. "Basically ... if we took 100 women and we expose them to the higher levels of fracking activity during pregnancy, four of them would develop anxiety or depression that otherwise would not have developed it," she said. The Independent Petroleum Association of America said in an e-mail that it takes issue with the fact the study didn't look at environmental data. "While these epidemiological studies claim to find possible connections based on limited data sets and assumptions, the reality here in Pennsylvania is that study after study of actual air and water sampling near these sites continue to show that shale development is being done in a way that's protective of public health," wrote spokesperson Nicole Jacobs. Casey pointed out that increased traffic connected to fracking can degrade local air quality, while increasing sound pollution and other commotion in a community. Part of the reason these mothers experienced adverse mental health issues, she said, could be due to concerns around environmental impacts, paired with a lack of control surrounding the changes. "Mothers have reported feeling like they can't keep their children safe," she said. "We can't say we're 100 percent sure that these women are developing anxiety or depression during pregnancy as a result of living near unconventional natural gas development in the Marcellus shale, but I don't have another explanation for what we're observing here." Casey said her team controlled for a variety of factors including age, race, whether a volunteer smoked and socioeconomic status. Even after taking these factors into account, women that were living closer to a greater number of fracking wells appeared to be at an elevated risk for developing anxiety and depression...

## ALLENTOWN MORNING CALL

Neighbors, Officials Want Investigation Into B. Braun's Emissions As A Cancer Risk In Lehigh County Jon Irons lives in a Bethlehem neighborhood, near the border of Hanover Township, that has a cancer risk nearly four times greater than the state average, largely because of a chemical released into the air by medical device-maker B. Braun. "It's very unsettling," he said. Ethylene oxide, a colorless gas used to sterilize medical equipment, has been linked to breast cancer, lymphomas, leukemia and stomach cancer. And thousands of pounds of the chemical are released into the air each year by B. Braun's plant in Hanover Township, Lehigh County. Like Irons, many people in the area were unaware of the pollution until The Morning Call published data last month from a government report. The U.S. Environmental Protection Agency noted the elevated risk in its data on toxic air pollution last year but did not publicize the findings. Since The Morning Call story, some have called on government to see that the emissions are significantly reduced. But there has been no public outcry as was seen in Illinois, when community outrage prompted the state to effectively suspend operations at Sterigenics, a medical device company in Willowbrook, for months for ethylene oxide emissions that were about 50% less than B. Braun in 2016, the latest year with available data from the EPA. Irons, a community

activist, said he's frustrated with the response from political leaders. "The action needs to be more urgent," he said. "If there's this elevated risk and we're seeing cancer risk increase and we know ethylene oxide is a known carcinogen, we need to make sure we're being as safe as possible. I don't see that happening." Elected officials — including Hanover Township Council members, U.S. Rep. Susan Wild, state Sen. Lisa Boscola, and state Rep. Jeanne McNeill — said they've heard from a handful of residents who called or emailed their concerns about the pollution...

### DOYLESTOWN INTELLIGENCER

Waste containing PFAS chemicals poses conundrums With few state or federal regulations existing for PFAS chemicals, the military and impacted towns face the tough question: Where to dispose of filters and waste? When carbon filters filled with firefighting foam chemicals from Bucks and Montgomery counties are burned at an incinerator in Delaware County, the temperatures approach one-fifth of those found on the surface of the sun. But is that hot enough? Are the chemicals destroyed, or do they go elsewhere? The lack of sure-fire answers to those questions strikes at the heart of another set of issues faced by communities and regulators already grappling with per- and polyfluoroalkyl substances (PFAS), toxic chemicals that are being found in increasing amounts in water supplies and waterways throughout the country. Communities along the county line have been struggling with PFAS contamination for years, after the chemicals were used at firefighting foams at a trio of current and former military bases in the area. On July 28, an investigative report from this news organization detailed potential "hidden" exposure routes for the chemicals as they continue to leak off the bases, including through fish consumption, agriculture, and the disposal of PFAS-saturated materials such as soil and carbon filters. The Navy has yet to respond to questions about the report. Several years ago, the impacted water authorities in Horsham, Warminster and Warrington townships implemented zero-tolerance plans to completely remove the chemicals from their drinking water supplies. To varying degrees, that involved purchasing water from neighboring water authorities or installing large carbon treatment systems to filter out the chemicals. But what to do with the used filters? "One of the biggest problems facing communities is how to responsibly dispose of these contaminated materials in a manner that does not contribute to the dispersal of PFAS further into the environment," said Tracy Carluccio, deputy director of the nonprofit Delaware Riverkeeper Network...

### CARLISLE SENTINEL

200+ LeTort trout killed in 'suspected pollution event' near Carlisle Barracks (Friday) More than 200 trout were found dead Wednesday in the LeTort Spring Run in what a Pennsylvania Fish and Boat Commission spokesman is calling a "suspected pollution event." The commission received a report of a fish kill in the nationally recognized wild trout stream about 10 a.m. Wednesday, communications director Mike Parker said. A waterways conservation officer observed 200 to 250 dead trout and about 100 smaller fish. A "chemical odor" was also detected, he said. The deaths were contained to an area that began in the right fork of the LeTort where it passes through the Carlisle Barracks in North Middleton Township and continued downstream several hundred yards to about 150 yards beyond Post Road, he said. Parker declined to provide further details on the cause of the fish kill, saying the incident is still under active investigation. The pollution was caused by a one-time event and does not appear to be ongoing, he said. LeTort Spring Run is a nationally known limestone stream and fly-fishing destination famous for its wild brown trout. "This is a renowned wild trout habitat, very popular for fishing," Parker said. "The introduction of a pollutant is certainly disturbing." Depending on the results of the investigation, the Fish and Boat Commission could levy penalties against the polluter and could seek restitution for the value of the lost fish, he said. The Department of Environmental Protection is also investigating the incident, according to community relations coordinator John Repetz. Anyone who observes a fish kill is asked to contact the Fish And Boat Commission at 1-855-347-4545.se

### HARRISBURG PATRIOT NEWS

Lycoming Twp. Puts Proposal On Hold To Deal With Amish Horse Manure Collectors ELIMSPORT — The feelings were mixed as expected but in the end the Washington Township supervisors did not act on ordinances that would require horses to wear poop collectors and rubber horseshoes. A crowd of about 200, half of whom were Old Order Amish, jammed the township firehall in southern Lycoming County Monday evening where pros and cons of those two proposed regulations were aired. Little was said about a third ordinance that would require the registration of carriages and buggies and township Solicitor Douglas N. Engelman said it might go away. He told the crowd there would be no vote on the ordinances until the September meeting at the earliest, leaving time to meet with the Amish and their attorney, Clifford A. Rieders, to work on a compromise. "I hope we can work it out with the Amish," he said, holding out



the possibility the ordinances that address health and safety issues could be modified. "We're happy to sit down and talk this out," Rieders said. "There is enough hate in this world." Rieders told the supervisors the ordinances are a religious matter because they would violate Amish law. "I don't think they can regulate the Amish way of life," he said while meeting with Amish attendees after the meeting. "The law is on your side." "Taking horseshoes off horses would be like taking shoes off us," said Jacob Zook, one of the Amish who spoke during the meeting. The rubber shoes are not practical and they take life out of a horse's feet on roads, he claimed. Engelman explained the horseshoes that are damaging the paved roads are ones with a metal piece welded to them that make them jagged...

Carlisle Barracks Residents Warned Not To Use Water After Abnormal Readings Officials at Carlisle Barracks are warning barracks residents not to use the water after detecting an abnormal gas reading. The army base's fire department issued the warning Monday morning, according to a Facebook post on the barracks' page. It said that the state Department of Environmental Protection is investigating, and the order to not use water will be in place "until further notice," the post read. A "do not use" order warns residents not to drink water, wash their hands, bathe or even flush the toilet. Restrooms at the Army Heritage and Education Center — which gets water from a source that's separate from the main installation — have been made available to residents, the Facebook post read. It did not provide any further information about what type of gas was found in the water to prompt the alert. Portable toilets are being set up around the post, and officials are working on setting up a drinking water distribution site. All facilities on the base are closed and non-essential personnel have been dismissed.

## **LANCASTER NEWSPAPERS**

West Nile virus season is starting much slower in Lancaster County than it did last year Last year brought a lot of rain and West Nile to Lancaster County, with two local deaths attributed to the mosquito-borne virus.

Column: How religious groups are responding to climate change Fires. Floods. Heat waves. Animals and pests on the march in search of viable habitats. It's enough to make a person of faith turn to the Bible for comparison: Swarms of insects (Revelation 9, locusts), earthquakes (Mark 13) and, of course, floods (Genesis 6-9). Whether you call it climate change or a climate emergency, the effects of a changing atmosphere have become persistent. Its effects are being felt locally as well as internationally...

## **LANCASTER FARMING**

Lancaster Farming: Farms Need Help If Watershed Improvement Objectives Are To Succeed The agricultural industry has a lot on its plate, and the focus right now is on survival. The last five years have been extremely difficult for both crop and animal producers. As an industry, we realize the importance of the environment and implementing practices to keep water and air clean. However, there are significant costs involved, and right now producers do not have extra funds to pay for the installation and maintenance of new practices. The Extension dairy business management team has completed an intensive multi-year project capturing the financial picture of the whole farm and the dairy enterprise. The numbers indicate a grim reality. In the crops to cow project, 25 dairy operations ranging in size from 40 to 1,100 milking cows participated in a three-year study (2016-2018) evaluating corn silage quality, feeding management and profitability. All of the farms were very well managed and met the production benchmarks for milk yield, components, pregnancy rate, days in milk, age at first calving and dry matter intake efficiency. But financial health, not production, is the bigger concern for the future of these farms. High profit herds experienced a positive net return for either two or all three years. The medium profit group had a positive return only once, and the low profit group never had a positive return. Production metrics, which were good on all of these farms, did not explain profitability status. An achievable financial benchmark for the dairy operation on a whole farm basis is a profit of \$800 to \$1,000 per cow. Based on the Penn State project evaluating the whole farm, the high profit group on average for the three years achieved a positive return of \$450 per cow, the medium profit group lost on average \$203 per cow, and the low profit group lost over \$600 per cow. The numbers for the dairy enterprise are even worse. The high group made \$16 per cow and the medium and low profit groups lost \$443 and \$949, respectively. And even though these operations had additional income from alternative enterprises, that was not always adequate to provide a positive profit or cash flow. How successful will

Pennsylvania be in meeting goals for sediment, nitrogen and phosphorus reductions when dairy producers do not have any disposable income?...

### SCRANTON TIMES TRIBUNE

Fell Twp Supervisors, Residents Focus On Experimental Mine Reclamation, Wind Turbines

### WILKES-BARRE CITIZENS VOICE

Officials Say Nanticoke Land Can Be Transformed If Restore PA Passes NANTICOKE — A contaminated tract of land in the city could be transformed into a 10-acre recreation complex if a proposed severance tax on the natural gas is finally passed, state officials said Monday. Officials gathered at the site of a former junkyard along Lower Broadway Street to tout the Restore Pennsylvania proposal, which they say would generate \$4.5 billion over four years that would be invested back in the state's communities. "Restore Pennsylvania is a bold, bipartisan proposal that will help our cities and communities tackle significant projects that improve public safety and set the stage for greater economic growth," Sen. John Yudichak, D-14, of Plymouth Twp., said. "Projects like the Lower Broadway Recreation Complex cannot be completed with local resources alone." Yudichak said the tax on gas drillers should be a no brainer. About 83 percent of tax will be paid by out-of-state energy consumers, he said. The proposed recreation complex in Nanticoke would include athletic fields, walking and bike trails, a skate park, a playground and nature areas. While the tract of land near the Nanticoke-West Nanticoke Bridge used to be a junkyard and heavy equipment center years ago, it was most recently used as a youth soccer field. Soil tests taken in the summer of 2018 determined the site is contaminated with various harmful chemicals, such as polychlorinated biphenyls, arsenic, cadmium, lead, mercury, pesticides and more, according to a press release by the state Department of Environmental Protection. "This project is a unique example of how Restore Pennsylvania can eliminate the hazards associated with blighted properties while creating recreational opportunities in the community," DEP secretary Patrick McDonnell said...

### PA ENVIORNMENT DIGEST BLOG (By PA DEP)

DEP Reports Mosquitoes Have Tested Positive For West Nile Virus In 2 More Counties Bringing Season Total To 17 So Far (Friday) On August 2, the Department of Environmental Protection announced mosquitoes in Scranton, Lackawanna County and East Buffalo Township, Union County have tested positive for West Nile Virus bringing the total this season to 17. DEP earlier announced mosquitoes have tested positive for West Nile Virus in these counties-- Center Township, Beaver County; Kenhorst Borough, Berks County; Upper Southampton Township, Bucks County; North Coventry Township, Chester County; Cumberland County; Upper Darby Township, Delaware County; Harborcreek Township, Erie County; Quincy Township, Franklin County; Lancaster Township, Lancaster County; Shenango Township, Lawrence Count; Lebanon County; Allentown, Lehigh County; Montgomery County; Penn Township, Snyder County; and in Philadelphia...

Sen. Yudichak, DEP Secretary Highlight Benefits Of Proposed Restore PA Plan To Turn Brownfield Site Into Recreation Area On August 5, Department of Environmental Protection Secretary Patrick McDonnell was joined by Sen. John Yudichak (D-Luzerne), Minority Chair of the Senate Environmental Resources and Energy Committee, and local officials to highlight the benefits of the Restore Pennsylvania Infrastructure Plan in remediating and redeveloping blighted properties across Pennsylvania. "This project is a unique example of how Restore Pennsylvania can eliminate the hazards associated with blighted properties while creating recreational opportunities in the community," McDonnell said. Restore Pennsylvania, announced in January by Gov. Wolf, is an aggressive plan to address the Commonwealth's vital infrastructure needs, including vacant and deteriorating properties/buildings, which often contaminate soil and groundwater. The officials visited a 10.5-acre vacant tract of land in the city of Nanticoke, contaminated by past activities, where a recreational complex is planned. The land once housed a junkyard and was later utilized by the city to store heavy equipment...

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## WASHINGTON, D.C.

### WASHINGTON POST

Maryland to seek more money from CSX, others for Howard Street Tunnel When the Howard Street Tunnel opened in 1895, the 1.4-mile bore under downtown Baltimore was a modern marvel. Iron-arched and lined with bricks, it used electricity to light the tunnel and power the Baltimore & Ohio Railroad engines pulling passengers and freight through it. The 124-year-old passage evolved into a critical link for East Coast commerce on what is now the CSX railroad, but it's about 18 inches too short for today's freight trains to carry truck-size shipping containers stacked two high. For years, officials have wanted to fix the tunnel, a choke point for shipments between the Northeast and points west and south. Jim White, executive director of the Maryland Port Administration, considered the tunnel the port of Baltimore's Achilles' heel, limiting the port's container business. So when the federal government announced last month it would pony up \$125 million to help pay for a \$466 million tunnel expansion, White immediately began spreading the word to major Asian shipping alliances about the project, which stands to make Baltimore a more attractive and cost-effective port...

Here's how the hottest month in recorded history unfolded around the world During the hottest month that humans have recorded, a local television station in the Netherlands aired nonstop images of wintry landscapes to help viewers momentarily forget the heat wave outside. Officials in Switzerland and elsewhere painted stretches of rail tracks white, hoping to keep them from buckling in the extreme heat. At the port of Antwerp, Belgium, two alleged drug dealers called police for help after they got stuck inside a sweltering shipping container filled with cocaine. On Monday, scientists officially pronounced July 2019 the warmest month the world has experienced since record-keeping began more than a century ago. How hot was it? Wildfires raged across millions of acres in the Arctic. A massive ice melt in Greenland sent 197 billion tons of water pouring into the Atlantic Ocean, raising sea levels. And temperature records evaporated, one after another: 101.7 degrees Fahrenheit in Cambridge, England, and 108.7 in Paris. The same in Lingen, Germany...

The Energy 202: Trump and California still on collision course over car rules The Trump administration and California are continuing on their collision course over how fuel efficient the next generation of cars and light trucks needs to be. President Trump's Environmental Protection Agency and National Highway Traffic Safety Administration sent a final rule freezing fuel efficiency standards for cars and light trucks through 2025 to the White House for review on Friday. The new regulation would also strip California of its long-standing ability to set its own gasoline mileage requirements. The administration made that move even as the attorneys general of California and New York that same day led a dozen states and Washington in suing NHTSA over reducing penalties automakers have to pay if they fail to meet the Obama administration's fuel efficiency standards. The news is the latest sign that the bad blood between federal officials and blue-state regulators over what is poised to be one of the biggest regulatory rollbacks of the Obama administration's efforts to combat climate change is not going away...

## **WTOP NEWS RADIO**

Northrop Grumman dives into Chesapeake Bay oyster reef monitoring Northrop Grumman is working with the Chesapeake Bay Foundation and the Chesapeake Oyster Alliance to boost the oyster population in the bay. Bay oyster populations are at historically low levels, said foundation president Will Baker. It's estimated the current oyster population in the bay is close to 300 million. That's down from 600 million about 20 years ago, according to the foundation. The two environmental groups hope to plant 10 billion oysters in the bay's waters by 2025. To do that, they need to monitor existing oyster reefs. The challenge is finding a way around the pitfalls of two commonly used methods. Currently, dredge surveys are often used. But the 19th-century method — in which the oyster beds are essentially scraped and samples are brought to the surface for survey — can be disruptive to the reefs. Underwater cameras can capture images, but that technology is often defeated by the murky waters where oyster reefs are commonly found. "We don't always know how well restoration projects are doing beneath the water," Baker said. That's where the Virginia-based aerospace firm comes in. According to a release from the foundation, Northrop Grumman has six teams of engineers working on developing new technology. Biochemical, acoustic or laser sensors could be deployed to help monitor the conditions of existing oyster habitat. "This important work will bring new information to light from the depths of the bay," Baker said. R. Eric Rinke, Northrop Grumman's vice president and chief science officer of emerging capabilities development, said the project provides a unique opportunity "to help inspire future scientists and engineers by showing the positive impact their work can have on protecting the environment."...

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# DELAWARE

## WILMINGTON NEWS JOURNAL

DNREC fines Bloom Energy \$40K for air quality violations Delaware environmental regulators on Friday fined Bloom Energy \$40,000 for turning on a bank of natural gas-powered fuel cells, set to provide electricity to Delmarva Power customers, before the state gave it permission. As part of the fine, the struggling Silicon Valley company also is paying the state \$5,454 in what it calls recovery costs. It is the first significant environmental sanction imposed by Delaware on Bloom Energy since the state in 2011 showered the Silicon Valley company with incentives in a deal to bring a manufacturing facility to Newark. The controversial package of Delaware subsidies has since sent hundreds of millions of dollars to the California fuel cell producer. Some flowed from taxpayers, the rest from a Delmarva Power surcharge stamped onto the bills of customers to pay for expensive electricity produced at Bloom Energy's Delaware fuel cell sites. Its fuel cells use an electrochemical reaction to convert natural gas into electricity. While they do not ignite the fuel, they do produce carbon emissions. Last year, Bloom filed an application for a permit to swap out its old fuel cells at its site in Red Lion and Newark. At the time, Bloom had not publicly stated the cost of the project, though after its announcement a subsequent report said it could be between \$100 million and \$150 million. The Delaware Department of Natural Resources and Environmental Control awarded the permit in January, following a raucous public meeting. Within the permit language, DNREC said Bloom would not be allowed to turn on the new generators until it received permission from the state following their installation. "The permit did not authorize operation of the units, except for the purpose of conducting the required DNREC inspection," the agency said in its enforcement order published on Friday...

Opinion: Fighting Delaware landfill expansion should be just the start There has been a tremendous outcry over Delaware Recyclable Products, Inc.'s permit application to Delaware's Division of Natural Resources and Environmental Control to allow the height of the Minquadales Landfill to increase from 130 feet to 190 feet. House Bill 212, which would cap the height of landfills at 130 feet, passed the House with bipartisan support and still awaits Senate passage. Ordinance 19-046, which would do something similar, is working its way through New Castle County's land use process and will be voted on by County Council on August 27, 2019...

## DELAWARE CAPE GAZETTE

Renewable energy systems funding available for ag producers Acting Assistant to the Secretary for Rural Development Joel Baxley encourages farmers, rural small businesses and agricultural producers to apply for financing in a key U.S. Department of Agriculture program that provides loan guarantees to help rural small businesses lower their energy costs. "Under the leadership of President Trump and Agriculture Secretary Perdue, USDA is committed to increasing economic development in rural communities across the country through strong partnerships with rural businesses," Baxley said. "USDA's Rural Energy for America Program is an important tool to help strengthen and grow the rural economy." USDA Rural Development State Director Denise Lovelady said, "The REAP program allows Delaware farmers, ranchers, and small, rural business owners to incorporate energy-efficiency technology and improve their bottom line. Investments like these in rural Delaware are engines that help drive economic development across the state..."

Sussex County trash collection continues A collaborative effort between Sussex County government, Delaware Department of Correction and Delaware Department of Transportation is cleaning up county roads. Under the agreement signed last year, county officials forward addresses obtained from the public and staff to Department of Correction officials who schedule collections by Sussex Correctional Institution inmates. The bags are then picked up and disposed of by DelDOT staff at no extra cost to the county, said Mike Costello, county government affairs manager. At Sussex County Council's July 30 meeting, Costello said from January through June, more than 2,200 bags of trash and 85 tires have been collected. He said the county received 177 complaints during the first six months of the year. During those six months, the county spent just over \$26,000 on the program to reimburse hours worked by correction staff. From July to December 2018, 958 bags and 142 tires were collected after 41 complaints were filed...

## DELAWARE PUBLIC MEDIA (NPR)

Bloom Energy fined for operating new fuel cells ahead of permitting State regulators have slapped Bloom Energy with two violations and a \$40,000 penalty for allegedly starting up new equipment before the company was allowed. According to the DNREC order released last week, the electricity company began operating newly installed fuel cells at its New Castle facility more than a month before they were permitted to, and operated above the permitted capacity for one day. A spokesperson for Bloom Energy says the company “will comply with this DNREC requirement going forward.” The construction permit for the upgraded fuel cells was approved in April despite concerns from some residents and advocates. Company representatives say the upgraded cells allow for more efficient electricity generation. Bloom’s operations in Delaware are controversial, largely because of a roughly \$5 surcharge Delmarva Power ratepayers pay on their utility bills which goes to Bloom Energy. Bloom also received \$12 million in state incentives — \$1.5 million of which it was forced to return in 2017 for failure to follow through on employment promises.

PFAS in Dover wells up to 2,400 times above federal health advisory State and U.S. Air Force officials announced last month that four drinking water wells near Dover Air Force Base were found to be contaminated with per- and polyfluoroalkyl substances, or PFAS. Officials now confirm the contaminated private wells are located northwest of the base. They say concentrations of combined PFOA and PFOS in the wells tested between 1,800 and 170,000 parts per trillion, well above the EPA’s unenforceable health advisory limit for the two PFAS chemicals of 70 parts per trillion. The five businesses, two residences and one office building the contaminated wells supply are being provided bottled water by the Air Force Base. Officials say the four contaminated wells were among roughly 30 tested this June in the first phase of an “expanded site inspection” near two historic PFOS and PFOA release areas on the Dover Air Force Base. Air Force officials plan to release well testing results to additional area residents once the results are validated. PFOS and PFOA were present in firefighting foam previously used at the Dover Air Force Base. They have been linked to an increased risk of cancer and other health problems. Last week Sen. Tom Carper, Sen. Chris Coons and Congresswoman Lisa Blunt-Rochester sent a letter to the U.S. Secretary of Defense requesting more information about the PFAS contamination near the Dover Air Force Base — including groundwater testing results and a map of contaminated wells. Carper says officials should use the “Golden Rule” in dealing with the affected residents and businesses. “If I were in their shoes I’d want to have immediate access to safe drinking water. I’d want to be assured that the situation is not getting any worse,” he said. “I’d want to make sure that someone’s planning on how to clean up this contamination. And, if possible, to maybe have access to a municipal source of water.” The letter also asks for a remediation plan and a feasibility assessment for putting the affected properties on municipal water. “If the contamination comes directly from a military base, my mind is that the military — the Department of Defense — has some responsibility to restore some security, confidence, peace of mind to the folks whose lives have been disrupted,” said Carper. As of Friday, Carper said he had not received a response from the U.S. Department of Defense. Dover Air Force Base officials continue to examine the need to test other areas for potential contamination and plan to contact residents before any sampling occurs...

First State officials slam sea wall plan as unrealistic way to repel rising seas (Aug. 2) State and local officials are rejecting a new report that says coastal states including Delaware need to spend billions of dollars on thousands of miles of sea walls to defend themselves against projected sea-level rise by 2040. Sea walls might work in some places but are not appropriate, the officials said, on a scale proposed in the recent report from the Center for Climate Integrity, a national nonprofit, which proposes the construction of some 50,000 miles of walls around the country, including an eye-popping 941 miles in Delaware at a cost of \$9.4 billion. Experts from the Department of Natural Resources and Environmental Control and the Delaware Geological Survey defended Delaware’s use of a variety of strategies and said they are being widely adopted as seas rise. “The study’s approach of evaluating one uniform flood mitigation strategy is not a realistic coastal defense that would be implemented,” DNREC said in a statement, referring to the report, titled: “High Tide Tax: The Price to Protect Coastal Communities from Rising Seas”. The department said sea walls are used in some urban locations to prevent flooding and erosion but they are “almost never” used over a large area because, in part, they are much more expensive than other kinds of coastal defense. The current approach includes building and maintaining protective dunes to guard against storms and rising seas, DNREC said. It noted that coastal defenses are part of the state’s Climate and Energy Plan, which was funded in this year’s budget and will be developed over the next 12-15 months. John Callahan, lead author of the Delaware Geological Survey’s latest study on sea-level rise, said the sea wall proposal ignores a range of other solutions that are being pursued by Delaware. “In Delaware, using sea walls is only one strategy for protecting communities and resources from sea-level rise and coastal flooding,” he said. Other techniques include raising structures, building up marshes and replenishing beaches, depending on what is appropriate for each

location. "Every case of implementing mitigation projects is based upon the specific location surroundings, cause of the flooding, owners of the properties involved, and other factors," Callahan wrote in an email. "Many of the more natural strategies, as opposed to shoreline hardening, allows for natural migration of shorelines and marshes, protects existing habitats of flora and fauna while keeping their ecosystem services, and overall produces a more resilient system to storms."...

## MIDDLETOWN TRANSCRIPT

Beach water quality information How's the water at the beach? Here are links so you can check before you go...

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# WEST VIRGINIA

## CHARLESTON GAZETTE-MAIL

Commentary: For Czech Scouts, World Jamboree a treat paid for by past generations (By Mark Ferrell) The Scouts BSA is a branch high in the canopy of a larger youth movement with roots running deep into European history. British military hero, author and adventurer Lord Baden Powell and his sister, Agnes, began the scouting movement for boys (Scouts) and girls (Guides) around 1909. It caught on quickly, and, in 1920, the first World Scout Jamboree took place in Olympia, West Kensington...

## WEST VIRGINIA PUBLIC BROADCASTING

Blackjewel Miners Continue Protest Ahead of Bankruptcy Hearing Miners left unpaid by the bankrupt Blackjewel coal company say they are prepared to keep up their protest on railroad tracks in Harlan County, Kentucky, where they are blocking delivery of a load of coal. As their protest grows and gains attention, a bankruptcy court hearing on Monday could determine whether and when the miners get their paychecks. The blockade began simply enough Monday when five out-of-work miners organized via social media to block a coal train leaving one of the Blackjewel facilities. "If they can move that train, they can get us our money," miner Shane Smith said. The group grew to nine. Police asked them to clear the tracks but the miners simply moved to a different location and stood their ground. They scrawled a simple message of protest on the cardboard from a pizza box: "No Pay, We Stay." They played cornhole, the beanbag toss game, on the tracks. More miners and supporters showed up, and donations poured in: food, bottled water, portable toilets, a generator and lights (for more games of cornhole in the night). The protest has since grown to dozens of miners and supporters, attracted national media attention, and has become a required pilgrimage site for campaigning politicians. "It's a little bit of a good feeling of accomplishment but we still ain't done," said miner Bobby Sexton. "We're gonna stay here until we get some answers." ...

Boom and Bust, Recession and Renewal: When Factories and Mines Close, Lives Change (Audio) Our region has faced major economic changes and challenges in the past decade. But if you know our region's history, this story of boom and bust, renewal and recession, is an all too familiar story. In this episode of Inside Appalachia, we'll explore how these economic changes affect people, our friends, our neighbors, and how entire communities can be uprooted by the closing of a local factory, or coal-mine layoffs...

As Goes the Mill: Podcast Dives Deeper into Weirton's Past We continue a podcast series from the Northern Panhandle on this West Virginia Morning. The series is called What Happened to Weirton. In the third episode, titled As Goes the Mill, reporter Ella Jennings traces the town's history as it slides from boom to bust...

Mussel Woman: Biologist Passes Along Pearls Of Wisdom About Threatened Mussels Janet Clayton is standing thigh-deep in a back channel of the Elk River. Clad in a wetsuit and knee pads, the silver-haired biologist with the West Virginia

Division of Natural Resources reaches into a bright orange mesh bag submerged in water. Inside are a half dozen mussels she plucked from the rocky river bottom. "This is called a long solid," Clayton says. An earthy colored shell about the size of a computer mouse sits in the palm of her hand. "As it gets older it gets really long." Her bag also includes a pocketbook mussel, wavy-rayed lampmussel, and kidneyshell. The biologically diverse waterways of the Ohio Valley are home to more than 100 species of freshwater mussels. Each can filter five to 10 gallons of water daily. But pollution, land use change, and a changing climate threaten their very existence. Clayton, a West Virginia native, began her career researching aquatic invertebrates, but quickly switched gears to studying the state's mussels and never looked back. She has worked with them for three decades and leads West Virginia's mussel program, which she helped develop. As Clayton approaches retirement next June, she is reflecting on how the field has grown and changed. Today, scientists know a lot more about freshwater mussels and how to protect them, partly due to her work. Some other biologists call her a "hero" for the often overlooked species. But just as Clayton prepares to pass on her pearls of wisdom, she is also sounding an alarm about the population decline she has documented, and what that says about river quality. "Mussels live for decades in our streams," Clayton said. "So, they're like the canary in the coal mine." They're among the most endangered animals in the United States...

### WEST VIRGINIA METRO NEWS

Blackjewel bankruptcy hearing begins in Charleston **CHARLESTON, W.Va.** — A federal bankruptcy judge held a court hearing on Monday regarding the properties of Blackjewel. Kopper Glo won the bid for the Lone Mountain and Black Mountain. According to WYMT-TV in Hazard, Kentucky, there are still disagreements with parties including Quest Energy and Caterpillar. Around 40 coal miners and their families attended the hearing at the federal court building in Charleston. Judge Frank Volk presided. Blackjewel filed for bankruptcy last month, which left miners without their pay, 401ks and health benefits. Some miners have protested by blocking a railroad track in Cumberland, Kentucky.

### ASSOCIATED PRESS (W. Va.)

West Virginia man sentenced in discharge of untreated sewage **MARTINSBURG, W.Va.** (AP) — A West Virginia man has been sentenced to five years' probation and fined \$24,000 for violating permits and discharging untreated sewage from his treatment plant. U.S. Attorney Bill Powell's office said 56-year-old Timothy Peer of Springfield owned Mountaineer Village Utility LLC. The sewage treatment plant served residents of Mountaineer Village near Ridgeley. Peer pleaded guilty in April to knowing violation of permit conditions and false statements on discharge monitoring reports. Powell's office said in a news release that Peer admitted to failing to maintain the treatment plant from 2014 to 2016, resulting in untreated and undertreated sewage being discharged into the North Branch of the Potomac River.

Trump Grants Disaster Declaration After West Virginia Floods President Donald Trump has granted a disaster declaration request for flooding in portions of West Virginia in late June. Gov. Jim Justice says in a news release five counties can receive federal assistance for public recovery efforts. The storms on June 29 and 30 caused widespread flooding to homes, businesses and infrastructure. The declaration for public assistance is for Grant, Pendleton, Preston, Randolph and Tucker counties. The funding for state and local government entities and eligible nonprofit groups offers reimbursement for emergency work and to repair or replace disaster-damaged facilities. The declaration also provides cost-sharing assistance to support efforts that prevent or reduce long-term flood risks.

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## MARYLAND

### BALTIMORE SUN

Baltimore County urges 'no discharge' as church seeks Little Gunpowder Falls wastewater plant **Baltimore County**

Council is moving forward to address concerns regarding Mountain Christian Church's proposal to build a wastewater treatment plant that would affect Little Gunpowder Falls. The Baltimore County Council on Monday voted unanimously to urge the Maryland Department of the Environment...

Nine people taken to Shock Trauma as high carbon monoxide levels reported in Edgemere homes Nine people, including a child in critical condition, were taken to the R Adams Cowley Shock Trauma Center on Sunday when high levels of carbon monoxide were reported in three Edgemere homes, Baltimore County fire officials said. The invisible, odorless and potentially deadly gas built up in a...

### **SALISBURY DAILY TIMES**

Why seagrass beds are vital to health of coastal waters Scientists have found still another reason why it is important to restore seagrass beds, including in Delmarva's coastal and bay waters. Recently published research conducted in restored eel grass beds off the Virginia coast found the grasses increase filtration of nitrogen around 12-fold. That is good news for water quality, and among other benefits keeps harmful algae from accessing the nutrient. Algae blooms are a problem in all 50 states and can have severe impacts on human health, aquatic ecosystems and the economy, according to the U. S. Environmental Protection Agency. The project off the coast of Virginia's Eastern Shore is the world's largest successful seagrass restoration project. The project, which after two decades has resulted in some 9,000 acres of restored seagrass beds, increasingly is opening up new areas of study for scientists.

Maryland waterfowl hunt season is coming. Are you ready? It's time to start planning waterfowl hunts for the coming season as the Maryland Department of Natural Resources announced the opening of the application period for the waterfowl hunt lotteries at Deal Island and Fairmount WMA impoundments in Somerset County. Long known as some of the best public land duck hunting in the region, opening day permits for these freshwater impoundments are highly coveted by duck hunters. "The impoundments at these areas are among the best known public areas for waterfowl hunting in the state," Game Bird Program Leader Bill Harvey said. "Recent changes in water level management, together with restrictions on boat motors have resulted in greatly improved waterfowl habitats at these locations." Applications must be in by Sept. 9 and are available online at the [DNR website](#). Only electric motors or manually powered boats are allowed in the impoundments between Oct. 1 and March 31, so for most that means kayaks, canoes or johnboats with oars. After opening day of each segment of the duck season the impoundments are open first come, first served on limited days of the week. The WMA areas outside of the impoundments are open all hunting days with normal regulations...

### **ANNAPOLIS PATCH**

Thomas Point Lighthouse In The Bay Needs Community's Support (Friday) ANNAPOLIS, MD — Built in 1875, the Thomas Point Lighthouse served as a beacon of light keeping boaters safe from the Thomas Point Shoal. As the last surviving screw pile lighthouse on the Chesapeake Bay and a Historic National Landmark, the lighthouse has weathered many storms and the test of time, but now it needs help. The lighthouse became the responsibility of the City of Annapolis, the U.S. Lighthouse Society and the Annapolis Maritime Museum in 2004. The Chesapeake Chapter of the United States Lighthouse Society has managed the renovation process of the lighthouse and volunteers have worked hard to renovate the exterior and interior to resemble pre-1939 conditions. But the lighthouse is showing severe deterioration, so supporters have put together a GoFundMe page to drum up the financial means to plow ahead with saving the lighthouse. The steel beams that hold up the lighthouse need to undergo a major restoration and while the project has received a \$100,000 grant from the Maryland Historic Trust, it is not enough. John Potvin, a member of the Chesapeake Lighthouse Society and a volunteer at Thomas Point Lighthouse, shared on the GoFundMe page that structural renovations are beginning yet this month. "We are still short of our financial goal, and need more funding to get across the finish line in 2019," Potvin stated.

### **ANNAPOLIS CAPITAL GAZETTE**

'I've got this water in my veins': Longtime Chesapeake Bay Foundation naturalist retiring (Friday) Behind a Ford Explorer plastered with a smattering of Chesapeake Bay Foundation stickers, John Page Williams sat on the edge of his hitched Boston Whaler, dumping sand from his water shoes. Over the course of 46 years, Williams has followed the ebb and flow of stories to be told about the Chesapeake Bay. And on Tuesday, there were four to tell about the Severn River, an



estuary flowing from the bay. For one, there was the thick, flourishing underwater grass that was like marshmallow to motor through and served as home sweet home to soft crabs and little fish. There were the living shorelines that were slowly encroaching on the rocky, unnatural borders to the waterway. There were oyster beds that, after years of restoration efforts, hosted 6-inch beauties. And deep down, there was a chronic deadzone with oxygen levels too low for crabs or oysters to thrive. But as the Chesapeake Bay Foundation naturalist steered his boat along the river, bouncing over waves for an hour, it became clear that the last thing he wanted to talk about was his retirement next month. "Let's keep it on the river," he said, when a reporter tried to nudge the conversation toward him. Yet as Williams' longtime friends and colleagues prepare for his impending departure, they have their own stories to tell — about a man who's dedicated his life to the bay, becoming living, breathing encyclopedia for its waters along the way. So, much to Williams' chagrin, the spotlight turns to him. To Will Baker, who has worked with Williams for over four decades and now serves as the foundation's CEO and president, Williams is a teacher first and foremost. That's something that became apparent as Williams slowly wound a tale about the bay over an hour-long boat ride, patiently and kindly quizzing *The Capital* photographer and journalist who were accompanying him...

Editorial: Setback on the Severn River shows the growth of oyster recovery programs (Friday) Ongoing efforts to restore oysters on the Severn River are facing a challenge this year: the availability of spat. For the uninformed, oyster spat is the term for larval oysters. They have a foot, believe it or not, and dumping them onto structures underwater is how a new reef is created or an existing reef repopulated. Historically, that cultch — no not clutch — have been oyster shells, but spat will latch onto concrete or many other surfaces. Without an adequate supply of spat, there's nothing to plant. And that has proven to be the rub this year. As we reported Thursday, the Oyster Recovery Partnership and the Severn River Association are attributing their decision to postpone additional planting until at least next year to a shortage of spat being produced by the Horn Point Laboratory in Cambridge, which is producing oyster larvae for replanting efforts across the region. And demand is huge. On the same day the Severn River project was announcing it was unable to go forward this summer, the Chesapeake Bay Foundation was planting about 3.4 million spat on shell at the Campbell Family sanctuary reef in the Patapsco River. All this planting is part of the Chesapeake Oyster Alliance trying to reach its goal of adding 10 billion new oysters in the bay by 2025. The alliance is composed of government agencies, universities, conservation groups, community organizations, oyster farmers, watermen and seafood businesses. And it's not just on the Chesapeake that this is happening. A recent Associated Press story reported that these projects are underway or have recently been completed in the San Francisco Bay; the Puget Sound near Seattle; in coastal salt ponds in Rhode Island and the state's Narragansett Bay; in the Carolinas; in Florida and the other Gulf Coast states; and in New Hampshire. An effort to restore oysters in New York Harbor called the Billion Oyster Project has planted over 28 million oysters in five years, with the goal of reaching a billion by 2035. In Europe, oyster restoration projects are being done in England, Scotland, Ireland, France, the Netherlands, Germany and Sweden. The Chesapeake Bay, though, remains at the heart of this effort, the science, the activism and the volunteerism. We have previously argued that there remain great opportunities in this work. In New York, the schools system is a central part of the project — providing students skills in underwater construction, marine biology and aquaculture. There have been efforts to involve students here, such as programs that build concrete reef balls at the Center for Applied Technology South. The setback this summer on the Severn River is disappointing. But one year's problem provides an opportunity for creative thinking. A more robust educational program might provide additional sources of oyster spat. Regardless, we have confidence that the Severn River reef will grow — if how remains unclear.

## CHESAPEAKE BAY JOURNAL

Ellicott City unveils flood plan to weather increasingly severe storms Ravaged twice in two years by killer flash floods, Ellicott City, MD, is embarking on an ambitious and costly race against time to shield the historic mill town from severe storms that appear to be striking with increasing frequency. Howard County Executive Calvin Ball unveiled a flood mitigation plan in May that aims to keep Ellicott City "safe and sound." It proposes boring a tunnel to siphon floodwaters away from the quaint shops and restaurants lining Main Street and building or expanding stormwater retention ponds and culverts farther up the watershed. Ball's plan would also demolish four of the historic buildings on lower Main and modify up to six more. "When you look at the reality of it, there are some buildings that just have to come down in order to ensure the highest level of public safety possible," Ball said in an interview. The floods that devastated old Ellicott City on July 30, 2016, and on May 27, 2018, were generated by "1,000-year storms," with rains so intense that meteorologists consider them exceptionally rare and put the probability of their occurring in any year at 1 in 1,000...

## CHESAPEAKE BAY MAGAZINE

VA. offers farmers record \$73 million to go Bay-Friendly There's a whopping \$73 million waiting for Virginia farmers who want to make their properties more productive and help the Bay in the process, thanks to a cost-share program available across the state. As of July 1, \$73 million in funding is available through the Virginia Agricultural Best Management Practice Cost-Share (VACS) Program, which helps farmers pay to install environmentally responsible practices on their land. The hope is that those practices will mean cleaner water for the Chesapeake watershed. This year's program is big news for the state, says Julie Buchanan, spokesperson for the Virginia Department of Conservation and Recreation (VA DCR). The DCR manages the program in partnership with the 47 Virginia Association of Soil and Water Conservation Districts (VASWCD) across the state. Buchanan is particularly excited— and with good reason— about this year's amount of funding. It's the biggest investment the state has made since the program's inception in 1984 and \$50 million more than last year, she says. "This program isn't just important for the ag(ricultural) community to know about, it's important for all Virginians and all residents of the Bay watershed to know that Virginia is making an investment in clean water with this program, with this historic funding level," says Buchanan. According to the DCR, there are more than 70 practices, including erosion control, managing nutrients, and planting cover crops, offered under the program that boost farm productivity and help to protect water quality. The goal is a cleaner Chesapeake Bay watershed. Farmers, landowners, trusts, or businesses that operate farms can be eligible and apply for the program at their local SWCD office. "The districts are actually the rock stars of this program," says Buchanan, since they handle sign-ups, assist farmers throughout the process, and disperse the funds...

Bald Eagle milestone - James River count is over 300 pairs (Saturday) The annual nesting bald eagle count is complete on the James River, and biologists are celebrating a milestone. The bald eagle breeding population has surpassed 300 pairs, making the James the most important tributary for eagles in Virginia. The number is significant because, in 1990, 300 pairs of bald eagles was set as the recovery goal for the entire Chesapeake Bay. Now, the James River alone has surpassed that goal. It's especially gratifying, biologists say, because the James River lost its breeding bald eagles completely in the 1970s— the only major Bay tributary where there was no reproduction at all. The Center for Conservation Biology at the College of William & Mary and Virginia Commonwealth University, which compiles the yearly survey results, says 302 known bald eagle pairs produced 344 eaglets in the 2019 breeding season. The areas where the survey found the most nesting eagles were Charles City County (62 pairs), James City County (50 pairs), Surry County (39 pairs), and Prince George County (36 pairs). Breeding bald eagles are surveyed by airplane every spring, and have been since 1962. But the use of poisonous insecticide DDT tainted eagles' food and contributed to a bald eagle die-off. By 1975, no breeding pairs remained on the James. The banning of DDT helped turn things around, and by 1980, the first pair returned to the tributary. Since then, the population has been steadily increasing to the 302 pairs counted this year. And the eagles have flourished throughout the Chesapeake Bay, where the population is now estimated to be more than 3,000 breeding pairs, and is the largest in eastern North America.

### Wild Chesapeake: Striped Bass Board to Meet on Overfishing Problem

The Atlantic striped bass (rockfish) population is in trouble. Avid Bay anglers have noticed the warning signs of smaller and fewer fish over the last few seasons, and the trouble was confirmed in November when fisheries biologists and analysts reported that the population has fallen below the sustainable threshold and overfishing has been occurring, perhaps for nearly a decade, which makes Thursday's Atlantic States Marine Fisheries Commission (ASMFC) meeting so important. Representatives from 15 coastal states will discuss and vote on a course of action to mitigate overfishing and chart a course to rebuild the stock. But first, you may wonder how could this have happened? Likely, it was a culmination of factors, since pressure from all sectors of the fishery is intense—perhaps more so than at any other time in the history of this keystone species. As striper fishing popularity has grown, anglers have become very efficient. Some in the Bay's recreational angling community point to Virginia's winter gill net fishery as a key contributor to the decline of large breeders. Meanwhile, the recent stock assessment notes that striped bass mortality due to recreational catch and release fishing accounts for 48 percent of the reduction from all sectors—commercial harvest, commercial discard mortality, and recreational harvest. Some states have already taken action, as we've previously reported. In April, Virginia cancelled its spring trophy season to try and conserve breeder-sized rockfish. Maryland now requires the use of circle hooks when live lining or using natural or scented bait for stripers to try and reduce the number of "dead discards", which occur during the height of summer when stripers are caught and released but do not survive due to the heat. North Carolina, Massachusetts and Connecticut took steps to curb their harvest. Some anglers, guides, and charter boat captains have voluntarily implemented conservation measures...

## CHRISTIAN SCIENCE MONITOR

Points of Progress: Endangered fish are rebounding, and more (Friday) One of the world's most threatened species of fish is rebounding. Sturgeon populations were in decline from more than a century of water pollution and dam construction. Efforts to limit fishing and install fish elevators around dams are showing promise, and cleaner water and dam removals are also helping. Maine's sturgeon population has doubled to 10,000 since the 1990s. Researchers had thought sturgeon were gone from the Chesapeake Bay, but their numbers are now back in the thousands. Conservationists say that protections are still necessary as sturgeon populations are a fraction of what they once were...

## WALL STREET JOURNAL

Scientists Search for Best Way to Restore Oysters in Chesapeake Bay (Saturday)

Scientists are racing to stem a rapid decline in the oyster population in Chesapeake Bay. The number of oysters, a valuable part of the shellfish industry in the region, has fluctuated and been unreliable since the 1980s. The amount of market-size mollusks harvested in the Maryland stretch of the bay fell from about 380,000 bushels in the 2015-16 season to 180,000 bushels in the 2017-18 season, according to state data. Water pollution, parasites and overfishing are among the reasons behind the decline, scientists say. Also, heavy rains can increase the flow of fresh water into bays, lowering water salinity and making it uninhabitable for oysters. "The current population baywide of oysters is estimated to only be a couple percent of what were here in colonial times," said Will Baker, president of the advocacy group Chesapeake Bay Foundation, citing recent studies. The Chesapeake Bay Foundation is one of several local, state and national organizations working to restore oyster populations in the area. One of its goals is to replenish oysters to the bay by placing hatchery-produced seed oysters in sanctuary reefs. About 32 million pounds of U.S. oysters worth more than \$236.4 million were harvested in 2017, a decrease of nearly 1.5 million pounds from the previous year, according to the National Oceanic and Atmospheric Administration. About 15% of the 2017 haul was from the Middle Atlantic region, which includes the Chesapeake Bay...

## FREDERICK NEWS-POST

Commentary: Maryland must ban chlorpyrifos after EPA's inaction The Maryland General Assembly should ban the toxic pesticide chlorpyrifos when they return to work in January. They had the chance to put the ban in place this year, but many legislators wrongly believed that the Environmental Protection Agency would follow the science and ban the chemical as the agency had proposed in 2016. As a result, the state bill to ban chlorpyrifos failed to pass. However, in mid-July the EPA declined to ban chlorpyrifos, despite its own experts linking its use to serious health problems in children. The agency argued that the pesticide is needed to protect crops. Given the EPA's inaction, we urge Maryland leaders to ban it. One of us is a public health professor at the University of Maryland, the other a senior scientist with the Chesapeake Bay Foundation. We know the risks to our children and the bay are significant if this pesticide continues to be applied. Chlorpyrifos is a powerful neurodevelopment toxicant. It is most commonly used in agriculture to kill insects on crops or to treat seeds before they're planted. In 2016, an EPA scientific panel advised the agency that small amounts of chlorpyrifos exposure can harm infants while in the womb and early in their lives. This exposure can impair children's ability to recall information necessary for learning and result in reduced academic achievement in their later years. Already the EPA has detected levels of chlorpyrifos in food that is 140 times higher than EPA deems safe for children ages 1 to 2, and 62 times above acceptable levels for women of reproductive age. The agency also warned there is no safe level of the pesticide in drinking water. After the pesticide is applied on farm fields or elsewhere, it can be washed into streams, rivers, and the Chesapeake Bay when it rains. Since the early 1990s, scientific studies have found trace amounts of chlorpyrifos can harm the central nervous systems of crustaceans such as crabs and shrimp. It can also kill insect larvae — an important food source for marine life in the bay. The ongoing use of the pesticide has the potential to harm Maryland's iconic blue crab fishery as well as the myriad insects and smaller crustaceans that support the base of the bay's marine food web....

## HAGERSTOWN HERALD MAIL

City sets public meetings on stormwater plan Hagerstown residents and business people Thursday can get a closer look at and provide feedback on the city's recommendations for meeting stormwater regulations. Two public meetings are scheduled for Thursday at the Elgin Station Community Center at 40 Elgin Blvd. The first session, geared toward the business community, is scheduled from 3:30-5 p.m. The second, focusing on the residential community, is scheduled from 6:30-8 p.m. A question-and-answer session will take place at each meeting. Public feedback is welcomed. "Nothing

is decided yet,” City Engineer Rodney Tissue said Monday. Thursday’s sessions are meant to share information with the public and hear feedback. Many governmental jurisdictions around the state and region are facing the stormwater cleanup issue, which dates to a directive issued by the Environmental Protection Agency that aspects of the federal Clean Water Act were not being enforced. “It’s not just Hagerstown,” Tissue said. “It’s everywhere. We’re all facing the same music.” On July 23, a consultant told the city council that a revised projection pinpoints about 366 acres of impervious land in the city that would have to be treated by 2025, in accordance with a state mandate. Generally speaking, impervious land refers to surfaces that liquid cannot pass through, such as buildings, paved roads and parking lots. The consultant estimated the total cost of needed improvements at \$23.6 million. Consultants are suggesting a fee system that charges a “billing unit” amount times every 1,000 square feet of a property’s impervious area. The preliminary cost estimate would be about \$30 per billing unit in fiscal 2020 and about \$40 by fiscal 2025 to help pay for mandated improvements to treat stormwater run-off and reduce pollutants that make it into nearby waterways that feed the Chesapeake Bay...

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## VIRGINIA

### *RICHMOND TIMES-DISPATCH*

In 'extraordinary' ruling, SCC rejects small part of Dominion recovery claim

Chesterfield mulling recycling plan changes amid cost concerns

### *WTKR-NORFOLK*

National Oyster Day: Groups work to restore oyster population in Lynnhaven River Did you know? August 5 is National Oyster Day! To celebrate, News 3 checked in with the Chesapeake Bay Foundation’s massive oyster restoration project. The goal is to restore 10 billion oysters to the Chesapeake Bay by 2025. The non-profit is also joining with other groups to restore oysters in ten tributaries, including the York, Lafayette and Lynnhaven Rivers. “We can’t do it alone so it’s great to see so many groups and local residents come together for this important cause,” said Heather Lockwood, Oyster Restoration Specialist with CBF. Oyster reef construction is already completed in the Lafayette River. Lockwood says the Lynnhaven River is set to be the next restored tributary...

### *NORFOLK VIRGINIAN PILOT*

Editorial: Eagles make a comeback in healthy Chesapeake THE RESURGENCE OF bald eagles around the Chesapeake Bay is another encouraging sign that sometimes it’s possible to reverse man’s destruction of the natural world. The proliferation of bald eagles is also further evidence that the bay, nearly written off as a lost environmental cause by the early 1980s, is returning to health. And this latest good news should be another reminder that progress has been made because of concerted efforts from the local level all the way up to the federal government — efforts that must be sustained. The eagles are a great comeback story. Once abundant in the Chesapeake Bay and along the streams and marshes that feed it, they were first depleted by hunters. Then the crushing blow came through chemical pesticides such as DDT, which came into wide use in the 1950s. As is often the case, what seemed to be a beneficial chemical had serious side effects. DDT killed many birds outright in areas that were sprayed, but over time — with the help of Rachel Carson’s pioneering book “Silent Spring” — people began to realize that its insidious presence in the food chain meant that the birds’ eggs were so fragile they collapsed. Many bald eagles and other predatory birds were unable to reproduce... It’s a lesson to remember as we continue efforts to restore and maintain the health of the bay. The progress so far is due to strong regional cooperation among the six states and the District of Columbia in the watershed through the Chesapeake Bay Program, started in 1983. Local and state agencies dealing with such things as farming practices, air pollution, runoff and water quality have worked together and with private groups. The federal government’s financial contributions have been essential. Now we face repeated attempts by the Trump administration to slash funding for the Chesapeake Bay Program, and some of the states in the region are lagging in meeting goals for improvement. Things beyond our control, such as last summer’s heavy rains, can cause setbacks. So the progress is real but fragile. This is a fight that will never really end. It’s heartening to see victories such as the resurgence of the national

bird

VIRG

ELLISTON — The roar of construction echoed

through the hollow, as a bulldozer pushed dirt on an impossibly steep slope hundreds of feet up the ridge. At the bottom of the slope, a makeshift fence and stack of pallets marked a boundary — the edge of a support camp for tree-sitters who for 10 months have blocked the path up the other side of the hollow. These are the battle lines on the ground in the fight over the Mountain Valley Pipeline, a 303-mile natural gas transmission line intended to transport gas from the fracking fields of northern West Virginia through the rugged terrain of eastern Appalachia to a compressor station in southern Virginia's Pittsylvania County. The encampment on Yellow Finch Lane has become a hotspot over the summer. In July, three protesters were arrested at the camp after others walked onto an MVP work site on a nearby road. An Austin man who had sat in a tree on the site for several months was also arrested after locking himself to a concrete foundation for several days. Several people occupied the support camp on a day late last month. Other. The supporters not to take photos showing anyone's faces. A person in a blue shirt mentioned the protest against the Dakota Access pipeline at the Standing Rock Indian Reservation. A person who traveled to Elliston not just from other parts of the camp, a tree-sitter wore a cap, sung songs, and shouted over the loudspeakers, "Imagine doing anything else," the tree-sitter said, "and too much not taking a stand. These more important than our plan."

A federal court on Friday denied Mountain Valley

Pipeline's request for a preliminary injunction against two unnamed tree sitters who have been blocking the company from clearing land for construction for almost a year. The [opinion by Judge Elizabeth Dillon](#) in the U.S. District Court for the Western District in Virginia refuses to grant the injunction on procedural grounds. Mountain Valley Pipeline, LLC, in December 2018 had added the tree sitters as parties in the eminent domain case between the company and the owners of the land that the sitters are currently occupying "in order to ensure that they are bound by the Court's decisions granting immediate possession to MVP." But Dillon found Friday that because the tree sitters don't have a specific property claim on the land they are occupying and instead "clearly seem to be protesting the pipeline as a whole," they can't be added as parties to the case. As a result, she rejected MVP's call for an injunction. "The court is cognizant of MVP's frustration with this situation and with the obstructive actions of the tree-sitters and their supporters," her opinion stated. "However, MVP has other options for relief — under both state and federal law — that it can pursue."...

DEQ orders work stopped on Mountain Valley Pipeline section (Aug. 2) The Virginia Department of Environmental Quality on Friday issued a stop-work instruction for a two-mile section of the Mountain Valley Pipeline in Montgomery County after an inspection found that the company hasn't been adequately controlling erosion. DEQ Director David Paylor said in a statement that the department was "appalled that construction priorities and deadline pressures would ever rise above the proper and appropriate use of erosion control measures." An inspection Thursday found that Mountain Valley Pipeline, LLC, a joint venture headed by EQM Midstream Partners, had failed to construct and maintain sediment and erosion control measures in line with site plans and that some existing controls weren't working correctly. As a result, DEQ determined that "an imminent and substantial adverse impact to water quality is likely to occur as a result of land-disturbing activities." Under the order, all land disturbance activities except those related to installing and maintaining erosion control devices must cease until DEQ approves a resumption of work. Friday's action is the first stop-work instruction issued by DEQ for the Mountain Valley Pipeline, but the project has been dogged by complaints of environmental violations over the past year...

SCC partially approves Dominion rider that will increase bills Electric bills will go up for Dominion customers after the State Corporation Commission on Monday approved the utility's request to recoup some of the costs it sank into complying with new federal and state environmental regulations in 2015 — but maybe not as much as the company would have liked. The SCC's decision allows Dominion to add a rider, an extra charge levied for a specific purpose, to customers' bills to pay for actions it took at its Chesterfield, Mt. Storm and Clover power plants to comply with more

stringent laws governing coal combustion residuals, better known as coal ash. Dominion's original application sought to recover \$302 million in compliance costs. However, that request faced stiff resistance from the Sierra Club and the Virginia Office of the Attorney General's Division of Consumer Counsel, which argued that the money the utility spent to retrofit two coal-fired units at the Chesterfield Power Station had been an imprudent investment in light of its plans to retire them within five years. Consequently, they contended, the costs of that choice should not be passed on to customers. The SCC agreed with that argument Monday, finding that Dominion had not established that the investment, which totaled about \$18 million, "was reasonable and prudent at the time."...

### **ROANOKE TIMES**

Regulators stop work on 2 miles of Mountain Valley Pipeline in Montgomery County Virginia regulators ordered Friday that all work cease on construction of the Mountain Valley Pipeline along a 2-mile section of the route in eastern Montgomery County. The Virginia Department of Environmental Quality, in stopping work on the project for the first time, cited lapses in compliance with an approved erosion and sediment control plan. Agency director David Paylor said in a news release that his agency is "appalled" by findings during a Thursday inspection. Inspectors found a work site without control measures near U.S. 11/460, DEQ spokeswoman Ann Regn said. Elsewhere in the same area were control devices that had not been maintained, she said. "It's a violation of the certification," Regn said of the lapses found. "We did this certification to ensure natural resources are protected. We said all along we were going to hold them to a high standard." Conditions seen during the site visit showed "an imminent and substantial adverse impact to water quality is likely to occur as a result of the land disturbing activities," DEQ said in a letter to the company, which is based in Pennsylvania. Clearing, grading and trenching were banned in the affected area until DEQ had signed off on steps to fix the problems. Paylor's reaction was to evidence "that construction priorities and deadline pressures would ever rise above the proper and appropriate use of erosion control measures," the government's statement said. Environmental advocate Russell Chisholm said in a release that he was "appalled" that the company's skimping on control measures to advance the project surprised the DEQ. Citizens have repeatedly reported similar lapses in permit compliance for at least a year, said his statement, issued by the Protect Our Water Heritage Rights Coalition, an anti-pipeline group with constituents in Virginia and West Virginia. Chisholm is its co-chair...

### **WDBJ-TV 7 ROANOKE**

Stop work order issued to part of the Mountain Valley Pipeline MONTGOMERY COUNTY, Va. (WDBJ) - The Virginia Department of Environmental Quality has ordered to stop work on a two mile stretch of the Mountain Valley Pipeline. Pipeline opponents say they're pleased with the news, but say it all comes too late. "We see it as a win, I mean any time they stop them or cite them it's a win on our part, we just really think it's too little too late, and we wish they would've done something sooner," Tina Badger, a pipeline opponent. said. She has been monitoring the Mountain Valley Pipeline for over a year. "We've seen hundreds of violations and this is not a site specific issue, this is a systemic problem with the entire pipeline construction," she added. The DEQ released a statement Friday that says they have issued "a stop work instruction" to part of the pipeline due to "insufficient erosion and sediment controls." "We have citizen monitors who have submitted so many reports of sediment going into the creeks and the rivers, and they just blow it off as, 'oh well they fixed it,'" Badger said. Freeda Carthcart is one of those monitors who has submitted reports on erosion. "There is a history with this contractor, Precision Pipeline, of doing this damage, and the DEQ has had reports sent to them that this is happening and they haven't taken action," Cathcart, another pipeline opponent, said. WDBJ7 reached out to DEQ and has not heard back for comment. Both Badger and Cathcart think the stop work order is a step in the right direction, but they want the entire pipeline construction stopped, so its erosion and sediment controls can be reevaluated.

### **NEWPORT NEWS DAILY PRESS**

In preserving endangered species, success stories outnumbered by new threats (Friday) If there's one success story of the 1973 Endangered Species Act that Hampton Roads can appreciate, it's the bald eagle. The national bird was decimated in the Chesapeake Bay and disappeared entirely from the James River in the 1970s, a casualty of chemical pesticides. It was one of the first species officially listed as endangered. Today, bald eagles are booming in the bay. But the overall trajectory of endangered species and the federal act that protects them isn't so clearcut. There are other success stories — the Virginia northern flying squirrel, the Louisiana black bear, the whooping crane, the Arctic peregrine falcon, the humpback whale — but the number of endangered species and the number of threats to them have exploded. Since 1975, the number of endangered species has rocketed from 137 to 1,663. Another 43 species have

recovered enough to be removed from the list. And the severity of threats to endangered species has shifted over time – pollution generally declined as a threat, for instance, while habitat disruption has increased. These are among the findings of a six-year review of thousands of pages of Endangered Species Act documents between 1975 and 2018 by researchers from the College of William and Mary and Millersville University of Pennsylvania. This is believed to be the first evaluation of changes over time in the threats to domestic species under the act. “We’re trying to come up with signs that will help to inform the policies and how we actually manage our fauna and flora – I think that’s what gets us going,” said Matthias Leu, associate professor of biology at William and Mary. ...

### **VIRGINIA PUBLIC RADIO**

Scientists Stalk a Microscopic Monster Killing Chincoteague's Famous Ponies For the past three years, a mysterious microorganism has been infecting the famous wild ponies of Chincoteague National Wildlife Refuge. The infection is known as swamp cancer and it has killed eight female ponies so far. The volunteer fire department that owns the herd and the U-S Fish and Wildlife Service, which oversees the refuge, have brought in scientists and veterinarians to try to eliminate the culprit and cure the disease. At Pony Penning Day, the Chincoteague Volunteer Fire Department brings in the local veterinarian to examine its 142 horses. The next day, the young ponies are auctioned off. Fans crowd around the holding pens. This is the closest they will ever get to the scruffy, feral, and sometimes laser-blue-eyed Chincoteague ponies, some of which have lineages going back 400 years....

Richmond City Council to Consider Downtown Redevelopment Richmond City Council is considering a \$1.5 billion development deal that would reshape much of the city's downtown. The proposal has been more than a year in the making...

### **CHESTERFIELD OBSERVER**

Citizens band together to fight new solar farm proposal (Friday) Citizens opposed to the construction of a 324-acre solar farm in southwestern Chesterfield crowded into a small conference room at the county's Clover Hill Library and peppered officials from Cypress Creek Renewables with questions during a community meeting last Tuesday. The California-based company has applied for a conditional-use permit to operate a 20-megawatt solar farm on multiple agricultural parcels along Eppes Falls and River roads. Its zoning case is expected to be heard by the Chesterfield Planning Commission in September. The project has sparked resistance from property owners in one of the county's few remaining heavily rural areas, many of whom have joined a Facebook group to air their concerns and update each other about its progress. There's also an online petition circulating with 125 signatures. “Considering the number of people who live in this area, that's a lot,” said Dawn Gambardella, who moved to Chesterfield with her husband, Rosario, from King and Queen County and bought a 5.4-acre property on Eppes Falls Road last year...

### **DANVILLE REGISTER AND BEE**

Government officials seek comments from area residents on Dan River coal ash recovery GREENSBORO, N.C. — Area residents can add their two cents next week to a review of the actions being taken to restore the Dan River in the wake of Duke Energy's 2014 coal ash spill. The United States Fish and Wildlife Service is joining state environmental regulators in hosting information sessions in Eden, North Carolina, and Danville. They want to gather comments about the utility's efforts in atoning for the spill five years ago. The meetings are scheduled from 6 to 8 p.m. Tuesday in Danville, and during the same time Wednesday in Eden. Tuesday's meeting in Danville is being held in the municipal building at 427 Patton St. The North Carolina review is scheduled for the next evening at Eden Town Hall, 308 E. Stadium Drive...

Amazon announces plans to bring solar farm to Pittsylvania County; leaders unclear on details (Friday) The what and when was released in a Thursday morning announcement on the website of a Seattle, Washington-based e-commerce and technology company giant: Amazon will develop a renewable energy solar farm in Pittsylvania County projected to begin use in 2020. Outside of that, the details are completely up in the air. Pittsylvania County leadership didn't know about the solar farm project before the morning announcement, and as of Thursday afternoon still were unclear on almost all of the details. The location of the planned farm was not provided in the announcement, and Amazon would not provide the Danville Register & Bee with the exact location or any details that weren't in the news release. “At this time all the details that Amazon is sharing is included in today's release,” corporate spokeswoman Jeanne Templeton wrote in an email. County real estate records don't list any land grabs by either Amazon or its registered business agent



in Virginia, the Richmond-based Corporation Service Company. And county officials still have no idea where the farm is slated to land. Commissioner of Revenue Shirley Hammock said nobody in her department or the community development office could find the location either. "We're kind of in the dark right now," she said....

Funding will probe to see if environmental problems exist at former Danville mill sites, a first step in property redevelopment process (July 31) Danville will receive \$300,000 from the U.S. Environmental Protection Agency to conduct environmental assessments in the River District and the Schoolfield area. The White Mill and Long Mill properties and Schoolfield sites — all former parts of the sprawling Dan River Inc. — will be the priority for the assessments. The purpose is to examine the properties to determine whether they are brownfield sites, which are areas contaminated by industrial or commercial use. "Danville is an older industrial city," Danville City Manager Ken Larking said. "We've had manufacturing processes throughout our community. It's important to take a look at any potential issues and get them fixed and have the properties redeveloped for beneficial use." City officials want to help prepare the buildings and sites for future private investment, said Corrie Teague Bobe, Danville assistant economic development director. "This grant funding is a good first step in the beginning of this process of developing sites or buildings," Bobe said during an interview at her office Wednesday morning. "If issues are found, they would need to be mitigated," she said. In that case, the city would apply for funding from the EPA and/or the Virginia Department of Environmental Quality to pay for mitigation, she said. There are estimated to be about 450,000 brownfield sites in the U.S., according to the EPA. As of May, 30,152 properties have been assessed under the EPA Brownfields program, and 86,131 acres of idle land have been made ready for use. In 2018, Congress reauthorized the statutory authority for the brownfields program, which changed the program to expand the list of entities eligible for Brownfield grants. The \$300,000 grant money for Danville also will be used to update White Mill, Schoolfield and riverfront park redevelopment plans, prepare a Long Mill redevelopment concept and conduct community outreach activities. Danville was one of seven communities in Virginia to be approved to receive a share of \$3.3 million in EPA funding. The communities are among 149 across the country to receive 151 grant awards totaling about \$64.6 million in EPA Brownfields funding...

### **WHSV-TV HARRISONBURG**

Virginia DEQ orders Mountain Valley Pipeline to stop some construction RICHMOND, Va. (WHSV) — The Virginia Department of Environmental Quality has ordered a halt to construction on part of the Mountain Valley Pipeline. According to a press release sent by the department on August 2, a DEQ inspection carried out on Thursday, Aug. 1 found that "an imminent and substantial adverse impact to water quality is likely to occur as a result of land-disturbing activities." The inspection was related to a section of about two miles of the project in Spread H in Montgomery County. Inspectors found insufficient erosion and sediment controls there. The DEQ stated that Mountain Valley Pipeline, LLC "has failed to construct and maintain erosion and sediment control or pollution prevention measures in accordance with approved site-specific plans and/or the erosion and sediment control measures that have been installed are not functioning effectively and MVP has not proposed any corrective action." Until the pipeline company takes action to solve the issue and block erosion in the area, work in that area has to be suspended. Their corrective action will then have to be approved by the DEQ through field inspection and verification...

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## MISCELLANEOUS

### **GOVERNMENT EXECUTIVE**

Mulvaney: Relocating Offices is a 'Wonderful Way' to Shed Federal Employees Mick Mulvaney demonstrated remarkable candor over the weekend when addressing a push by the Trump administration to move federal employees outside Washington, D.C. During a Republican party event in his home state of South Carolina on Friday, the acting White House chief of staff largely dispensed with the administration's favored talking points that moving some Agriculture Department offices to Kansas City would get federal employees closer to the constituents they serve. Instead, Mulvaney said the relocations would help the administration attain another goal: draining the swamp, specifically by shedding



federal employees. “I don't know if you saw the news the other day, but the USDA moved two offices out of Washington, D.C., I think to Kansas City, Missouri,” Mulvaney boasted, while encouraging applause. “Guess what happened. Guess what happened. More than half the people quit.” (USDA has not yet decided if the offices will be in Kansas or Missouri.) Mulvaney, who retains his title as Office of Management and Budget director and formerly headed the Consumer Financial Protection Bureau, went on to explain that the outcome of employees leaving in large numbers was a great victory for the administration. “Now, it’s nearly impossible to fire a federal worker,” he said. “I know that because a lot of them work for me. And I’ve tried. And you can’t do it. But simply saying to the people, you know what, we’re going to take you outside the bubble, outside the Beltway, outside this liberal haven and move you out into the real part of the country, and they quit. What a wonderful way to streamline government and do what we haven’t been able to do for a long time.”...

USDA Office Relocations Are Illegal, IG Says The Agriculture Department is in violation of spending laws by relocating employees out of the Washington, D.C., area, according to a new watchdog report. USDA is in the process of moving the employees at two of its components—the Economic Research Service and the National Institutes of Food and Agriculture—to Kansas City. The USDA inspector general found those moves violate a 2018 appropriations law, which included language preventing the department from implementing any reorganization efforts without prior approval from appropriations committees in Congress. The law specifically prohibited spending money on any effort that “relocates an office or employees.” The same language was included in a fiscal 2019 spending law and a House-passed Agriculture appropriations bill for fiscal 2020. The auditors instructed USDA to “take appropriate action” for any violations of the Antideficiency Act, the law that prohibits federal agencies from spending funds that have not been appropriated. In October 2018, USDA entered into a \$340,000 contract for reviewing potential destinations for the new headquarters locations. The IG recommended USDA go back to Congress and to get approval for the moves before spending any additional money on them...

## **BLOOMBERG ENVIRONMENT**

EPA Stress-Tests Regional Office Plan The EPA is running tests on the reorganization of its regional offices to see if the plan is making the 14,000-person agency more effective and consistent, an agency official said. The plan, which kicked off in April, changes the structure of the Environmental Protection Agency’s 10 regional offices so that they each resemble the design of the agency’s headquarters. Various EPA officials, including Administrator Andrew Wheeler, have said the plan will improve coordination between headquarters and the field offices. To test whether the reorganization has had that effect, EPA is now conducting workflow analyses, trying to see if there are matches between the work it needs to do, the staff it has on hand to do it, and the money it has available to fund it throughout the regions, Steven Cook, deputy assistant administrator of EPA’s Office of Land and Emergency Management, said Aug. 2. Finding those matches was “incredibly difficult” before the reorganization, said Cook, speaking at the Texas Environmental Superconference in Austin. “If we do this right, we will be able to have consistent application across all the regions.” Under the old regime, EPA’s connections to its regional offices resembled “a maze of pipes,” Cook said. For example, pots of appropriated money sometimes hid in places for reasons that “nobody could explain,” he said. Critics have argued that the reorganization will undermine EPA regions’ enforcement by exposing them to political interference. Under the new plan, regional enforcement directors will have to report to a politically appointed regional administrator, who then reports to headquarters, the American Federation of Government Employees said in an April 29 letter to Wheeler. But others say the idea of radically reshaping EPA’s regions is one that has lingered for decades and isn’t necessarily a partisan notion, said Stan Meiburg, who served as EPA’s acting deputy administrator during part of the Obama administration. “I don’t think there’s a perfect organizational solution,” Meiburg told Bloomberg Environment. “Almost any organizational structure can work if you have people’s relationships done right...”

Inhalation Risks Spurs Most of EPA’s Rules for 31 New Chemicals The EPA is focusing on inhalation and lung risks in regulating 31 new chemicals slated for entry into the market. The agency would need to review any nonapproved uses of the 31 new chemicals it recently allowed chemical manufacturers to produce, according to proposed rules released Aug. 5. The Environmental Protection Agency cited concerns about the new chemicals’ potential harm to workers’ respiratory systems as the most common health effect that prompted it to propose the significant new use rules, or SNURs. Seventeen of the 31 new chemicals might harm lungs if, for example, the chemicals are sprayed in the workplace or if workers fail to wear respirators, the agency said. The EPA approved the new chemicals provided the original

manufacturer agree to limitations on the compounds' use, such as not allowing them to be openly sprayed where workers could breathe them in. The SNURs would require any other company wanting to make or process the chemicals to comply with those same restrictions. Or, a company could file a notice asking the agency for permission to use one of the chemicals without such protections. The EPA would have 90 days to review that notice and decide whether or not to approve it. Nearly all 31 chemicals covered by the EPA's proposal are identified by generic names only. The chemicals are used in making paints, plastics, and industrial coatings...

EPA Won't Preempt Supreme Court on Groundwater Pollution (Friday) The EPA won't move forward with a rewrite of its regulations on groundwater pollution, instead waiting until the Supreme Court issues a ruling on the issue, the agency's top water official said. David Ross, head of the Environmental Protection Agency's Office of Water, said the his office thinks "it would be beneficial for the Supreme Court to weigh in on such a hard question." Ross spoke Aug. 1 at an environmental conference in Austin, Texas. The question of when federal officials must regulate groundwater pollution is inconclusive from a reading of the Clean Water Act. Different appeals courts have come to different answers on this question, and the Supreme Court has decided to weigh in with what could be a transformative ruling. Environmentalists say that if it can be proven that pollution from groundwater flows into a body of water on the surface, the EPA must act to stop that pollution at the source. However, many businesses that have long been disposing of effluent by sending it underground say the Clean Water Act explicitly only applies to surface waters. Earlier this year, the EPA appeared to be moving toward changing its official regulations to make it clear that groundwater is outside the scope of the Clean Water Act. In April, the agency took the preliminary step of issuing a nonbinding interpretive statement to this effect. However, Ross said his office has decided it will hold off from further action until the Supreme Court weighs in. Oral arguments in the case have been scheduled for Nov. 6. "We did the best we could," he said. "There are different theories, based on who's writing. So let's see what the Supreme Court tells us, and then we can react and do a rulemaking based on some additional instruction."...

### **GREENWIRE / E&E NEWS**

EPA: No groundwater rule until Supreme Court decides The Trump administration will not craft a formal rule reinterpreting the scope of the Clean Water Act regulation until after the Supreme Court weighs in on the issue, EPA said today. In an email to E&E News, the agency said it wants to see how the justices resolve *County of Maui v. Hawai'i Wildlife Fund* before moving forward with a rulemaking. At issue is whether the Clean Water Act's permitting program applies to pollution that reaches a federal waterway through groundwater. The high court will take up that issue Nov. 6 with oral arguments involving wastewater disposal in Maui. In the meantime, EPA will rely on a recently crafted guidance document adopting a narrow interpretation: that permits are not required for such discharges through groundwater — a change from the agency's previous position ([Greenwire](#), April 16). "It is correct that we are awaiting resolution of the Supreme Court case to see if EPA needs to issue a rulemaking to provide additional clarity," a spokeswoman said in an email. "However, as of now, [EPA's] interpretive statement is final." The statement follows comments made yesterday by EPA water chief David Ross at the Texas Environmental Superconference. According to Law360, Ross said, "We think it would be beneficial for the Supreme Court to weigh in on such a hard question." ...

Federal Workforce: Mulvaney: Agency relocations will 'drain the swamp' White House Office of Management and Budget Director Mick Mulvaney appears to have disclosed a key motivation behind recent proposals to move hundreds of Agriculture Department and Bureau of Land Management jobs out of Washington, D.C.: to "drain the swamp" by reducing the federal workforce. That's according to a [speech](#) Mulvaney gave Friday in South Carolina to the state's Republican Party, during which he complained, "It's really, really hard to drain the swamp, but we're working at it." During the speech, broadcast by C-SPAN, Mulvaney specifically referenced the Agriculture Department's announcement in June that it planned to move the Economic Research Service (ERS) and the National Institute of Food and Agriculture (NIFA) out of the "liberal haven" of Washington, D.C., to the Kansas City area ([Greenwire](#), June 13). "Guess what happened? More than half the people quit," said Mulvaney, who is also President Trump's acting chief of staff, to loud applause from the crowd...

COAL: Feds object as Blackjewel sale still in limbo Federal attorneys have demanded that Blackjewel LLC settle a debt and pay its miners before a bankruptcy judge rules today on the sale of the coal company's mines.

COAL ASH: Judge: N.C. agency can order Duke Energy to excavate pits European climate researchers said Monday that last month was the hottest month ever recorded, slightly eclipsing the previous record-holder, July 2016...

EPA moves to relax permit requirements for plant upgrades (Friday) EPA is moving to buttress its decision last year to relax application of a key feature of the New Source Review permitting program for power plants, refineries and other major industrial polluters. In a draft rule released late yesterday, the agency formally seeks to rework the two-step process for deciding whether a plant expansion or other major upgrade would result in a significant emissions increase warranting a New Source Review pre-construction permit, possibly accompanied by added pollution control requirements. Typically, the first step has involved determining whether the project would by itself lead to a significant pollution increase. If that's found to be the case, the second step takes a look at whether there would be an overall emissions boost once all other increases or decreases at the plant over the preceding few years are factored in. Under the revised approach, welcomed by industry organizations and denounced by environmental groups, companies can consider both the "projected emissions increases *and* projected decreases" attributable to the project during the first step, according to an EPA summary. It's one in a series of measures that the Trump administration has pushed to revamp a system that critics say is burdensome to the point of discouraging businesses from undertaking environmentally beneficial upgrades...

Connecticut: Wastewater treatment plant explosion injures 3 (Friday) Authorities say three people have been injured in an explosion at a Connecticut water treatment plant. Stamford fire Lt. Kevin Connell told the Stamford Advocate that the explosion occurred just before 11 last night at the Stamford Water Pollution Control Authority. It was described as a "dust explosion," and Connell said there was no fire. Three employees were taken to Stamford Hospital with minor injuries. The explosion damaged several roll-up garage doors and several windows. The city's Building Department arrived at the scene at 3 this morning to determine whether the plant suffered any structural damage. The fire marshal's office is investigating, and the federal Occupational Safety and Health Administration has been notified. The plant processes wastewater from Stamford and Darien.

EPA: Former oil executive picked to lead Dallas-based Region 6 A veteran oil industry executive who previously led New Mexico's state energy agency is the new head of EPA's Region 6 office...

## ***ASSOCIATED PRESS***

Ohio nuke plants' rescue jolts conservatives, environmentalists (Friday) Toledo, Ohio -- A financial rescue for Ohio's nuclear plants and two coal-fired plants that will force the state's residents and businesses to fork over roughly \$1.5 billion is galvanizing environmentalists and some conservatives. Advocacy groups and investors, incensed by what they call a bailout and how it will diminish the state's natural gas and green energy options, are looking at mounting a campaign to overturn it and targeting Republicans who backed it. Organizations representing the state's seniors and manufacturing plants are upset, too. The upheaval comes as the Trump administration continues with its pledge to boost the nuclear and coal industries by easing regulations and guaranteeing loans for two new commercial reactors. But the fallout in Ohio shows how attempting to influence the market can be risky and alienate a wide swath of voters. "We're getting involved in an area where the government has no business sticking their nose," said state Rep. Craig Riedel, a conservative from northwestern Ohio. "What we did with this bill is we absolutely tipped the scales to the nuclear plants."...

## ***NEW YORK TIMES***

How Hot Was July? Hotter Than Ever, Global Data Shows European climate researchers said Monday that last month was the hottest month ever recorded, slightly eclipsing the previous record-holder, July 2016...

Climate Could Be an Electoral Time Bomb, Republican Strategists Fear (Friday) WASHINGTON — When election time comes next year, Will Galloway, a student and Republican youth leader at Clemson University, will look for candidates who are strong on the mainstream conservative causes he cares about most, including gun rights and opposing abortion. But there is another issue high on his list of urgent concerns that is not on his party's agenda: climate change. "Climate change isn't going to discriminate between red states and blue states, so red-state actors have to start engaging on these issues," said Mr. Galloway, 19, who is heading into his sophomore year and is chairman of the South Carolina Federation of College Republicans. "But we haven't been. We've completely ceded them to the left." While Donald Trump has led the Republican Party far down the road of denying the scientific consensus of human-caused climate

change, Mr. Galloway represents a concern among younger Republicans that has caught the attention of Republican strategists...